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84TH CONGRESS
1ST SESSION

H. R. 2576

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1955

Mr. DAWSON of Illinois introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 5 of the Reorganization Act
4 of 1949 (63 Stat. 205), as amended by the Act of February
5 11, 1953 (67 Stat. 4), is hereby further amended by strik-
6 ing out "April 1, 1955" and inserting in lieu thereof "April
7 1, 1958".

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

By Mr. Dawson of Illinois

JANUARY 20, 1955

Referred to the Committee on Government Operations

S. 613

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1955

Mr. McCLELLAN introduced the following bill; which was read twice and referred to the Committee on Government Operations

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957.

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To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957.

By Mr. McCLELLAN

JANUARY 21, 1955

Read twice and referred to the Committee on Government Operations

from California [Mr. KNOWLAND], and the two Senators from Nevada [Mr. MALONE and Mr. BIBLE], a bill authorizing Federal participation with the State of California in replacing a dangerous, limited-capacity road over the high Sierras with a dependable, carefully-engineered, all-year highway. A companion bill is being introduced in the House by Representative ENGLE, of California.

The urgent need for a cross-mountain road of much greater capacity than now exists for both national defense and normal transportation purposes warrants enactment of such legislation.

This measure, providing for reconstruction of approximately 100 miles of Route 40 is entitled to special consideration because of the inadequacy of present mountain crossings, the existence of a great number of key defense installations in the region which would be served, the undeniable importance of a highway link between the interior of the country and the essential ports on San Francisco Bay, and the peculiar engineering and construction problems which must be solved.

Any doubt that such a project is imperative to national defense was demonstrated last summer by a simulated attack on the Oakland-San Francisco section of California. As a result of observations during Operation Alert, military and civil defense authorities agreed that prompt steps should be taken to construct additional highway connections across the mountain. The critical need was emphasized by the fact that the existing highway was blocked for 4 hours as a result of traffic jams during what was only a practice.

The importance of a 4-lane highway also was driven home to military authorities in 2 recent winters. Heavy snowfalls closed the present two-lane road for considerable lengths of time. In normal situations, even during the winter an average of 400 trucks cross the summit of the mountains on this route daily. The dire consequences of complete interruption of traffic in an emergency may be easily imagined.

The California Legislature voted almost unanimously in 1953 to share the cost of reconstructing the mountain segment of this highway. The State of California already has expended large sums in transforming portions of the route into a multilane expressway. Joint action is essential to completing the task of providing a road of the sort which is vital to national safety.

I hope that this bill will receive early consideration, so that work can be scheduled in the very near future.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 611) to provide Federal assistance for construction and reconstruction of a highway from the Nevada stateline across the Sierra Nevada Mountains into the San Francisco Bay area, was received, read twice by its title, and referred to the Committee on Public Works.

INCREASED FINANCIAL ASSISTANCE FOR CERTAIN PERSONS RECEIVING OLD-AGE BENEFITS

Mr. PAYNE. Mr. President, I introduce for appropriate reference a bill which would increase the maximum limitation for those of our citizens receiving old-age assistance as well as others covered under our public assistance plans.

The bill, as it applies to the aged, the blind, and the permanently and totally disabled, would authorize a maximum of \$75 a month. The present maximum is \$55 a month.

These senior citizens are those who do not come under the regular social security retirement provisions. They were too old or otherwise ineligible to be covered by the bill when it was first passed. Since then, their number has been steadily decreasing as more and more retired persons are covered by the regular retirement provisions of the social security system.

The bill, which is cited as the Public Assistance Act of 1955, would also increase from four-fifths to six-sevenths the Federal share of the initial allotment, which would be raised in this bill from \$25 to \$35 a month. The Federal Government would continue to pay half of all aid above this figure up to a maximum of \$75.

Federal payments to dependent children are increased in the same proportion.

There is no change under this bill in payments to the States for the administration of their plans or in Federal payments to eligible residents of Puerto Rico and the Virgin Islands.

It is only proper that in keeping with the spirit of the Social Security Act, payments to the aged and the handicapped should increase to meet the higher cost of living they face today. We all know how heavy the burden on our senior citizens has become since the end of World War II. Throughout the years there has been a very slight increase in the standards previously established, and this bill is simply a well-deserved recognition of an existing need.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 612) to enable the States to provide for the increased financial needs of persons receiving assistance under the public-assistance plans established pursuant to the Social Security Act, was received, read twice by its title, and referred to the Committee on Finance.

EXTENSION OF REORGANIZATION ACT OF 1949

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to extend the Reorganization Act of 1949, which will expire on April 1 of this year. In view of the work and the anticipated reports of the Hoover Commission, or the Commission on the Organization of the Executive Branch of the

Government, I think it is imperative that this act be extended.

If the bill is referred to the Committee on Government Operations, we shall undertake to process it immediately. I make that announcement so that if any Senator contemplates opposing it, he may so indicate to the committee.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 613) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

REPRESENTATION OF INDIGENT DEFENDANTS IN CRIMINAL CASES

Mr. WILEY. Mr. President, I introduce a bill providing for the representation of indigent defenders in criminal cases in the district courts of the United States. This bill has been strongly recommended by Attorney General Herbert Brownell.

I ask unanimous consent that the bill be printed at this point in the body of the CONGRESSIONAL RECORD and that following it there be printed the text of a letter sent by the Attorney General to the Vice President recommending passage of this proposed legislation.

I earnestly hope that the Senate Judiciary Committee will find it possible to report on this measure at the earliest possible date.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 630) to provide for the representation of indigent defendants in criminal cases in the district courts of the United States, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That title 18 of the United States Code, section 3006, is hereby amended to read as follows:

"§ 3006. Public defenders; representation of indigent defendants

"(a) Each district court of the United States may appoint a public defender. In any district where terms of court are held in two or more places, the court may appoint a public defender at each such place. Whenever a district court is satisfied that the number of cases assigned to a public defender is greater than can be conveniently conducted by him; the court may appoint one or more assistant public defenders to render aid to the public defender. The public defender with the approval of the court may appoint a clerk or clerks as may be necessary in such number as may be approved by the Director of the Administrative Officer of the United States Courts. Public defenders or assistant public defenders appointed under this section may be full-time or part-time officers as the volume of work in the judgment of the court may require. Whenever it appears to the satis-

faction of a court in which there is a public defender that any person charged in said court with a felony or misdemeanor (other than a petty offense, as defined by section 1 of this title) is unable to employ counsel, the court shall assign the public defender to act as counsel for such person with respect to such charge: *Provided*, That if in any case there are indigent defendants with such conflicting interests that they cannot all be properly represented by the same counsel, the court may appoint counsel separate from the public defender for one or more of them and provide for the compensation and reimbursement of expenses of such counsel in the same manner as is provided for counsel appointed under subsection (c) of this section. It shall be the duty of the public defender to act as counsel for each defendant to whom he is assigned at every stage of the prosecution, unless after the assignment the court is satisfied that the defendant is able to employ other counsel. Each district court by which a public defender is appointed may adopt appropriate rules governing his conduct subject to general regulations on the subject, which may be adopted by the Judicial Conference of the United States.

"(b) Each public defender and assistant public defender shall be paid a salary based upon the service to be performed in no case exceeding \$10,000 per annum, to be fixed by the Judicial Conference of the United States. He shall also be reimbursed for expenses necessarily incurred by him in the performance of his duties when approved by the district court.

"(c) In any district not having a city of more than 5,000,000 population, in which the district court considers that the representation of indigent defendants in criminal cases brought in the court can be provided for more economically by the appointment of counsel in particular cases in which such representation may be deemed requisite than by the appointment of a public defender, and no public defender is appointed or in any district having a city of over 5,000,000 population if the district court so considers, the judicial counsel of the circuit approves, and no public defender is appointed, the court may appoint counsel for indigent defendants in particular cases. Counsel so appointed may in the discretion of the court be compensated in amounts to be determined by the court upon the conclusion of the service, at a rate not in excess of \$35 a day for time necessarily and properly expended in preparation and trial of the case, and may be reimbursed for expenses reasonably incurred in the representation and approved by the court: *Provided*, That the aggregate amount expended for compensation and reimbursement of such counsel in any district shall not exceed \$5,000 in any fiscal year.

"(d) In any criminal cases in which an indigent defendant is represented in the district court by a public defender or by counsel appointed by the court in the particular case, the public defender or such counsel, as the case may be, shall also represent him in the event of appeal in the appeal proceedings if either the district court or the court having jurisdiction of the appeal shall consider that there is reasonable ground for appeal and shall so direct. Services of the nature specified in this subsection if rendered by a public defender shall be part of his duties and performed without other compensation than his salary. If such services are rendered by counsel appointed in the particular case, such counsel may be compensated in the measure specified in subsection (c) for counsel appointed to represent indigent defendants in criminal cases and be reimbursed for their expenses. Any sums so paid for compensation and expenses of services on appeal shall be included in the maximum limit of \$5,000 in any fiscal year imposed by subsection (c) upon the

aggregate expenditures for the defense of indigent defendants in the respective districts from which the appeals are taken.

"(e) There are hereby authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this section. The salaries and expenses of public defenders and assistant public defenders and compensation and expenses of attorneys appointed by the courts to represent defendant in particular cases, above provided for, shall be paid out of appropriations available therefor under the supervision of the Director of the Administrative Office of the United States Courts.

"(f) The term 'district court of the United States' as used in this section shall include the District Court for the District of Alaska, the District Court of the Virgin Islands, the District Court of Guam, and the district courts of the United States created by chapter 5 of title 28, United States Code."

SEC. 2. The analysis of chapter 201 of title 18, United States Code, is amended by striking out item 3006 and inserting in its place the following item:

"3006. Public defenders; representation of indigent defendants."

The letter presented by Mr. WILEY is as follows:

The VICE PRESIDENT,
United States Senate,
Washington, D. C.

DEAR MR. VICE PRESIDENT: I should like to recommend the introduction and enactment of legislation to provide for the adequate representation of indigent defendants in criminal cases in the district courts of the United States.

Although the sixth amendment of the Constitution of the United States provides that in all criminal prosecutions an accused shall "have the assistance of counsel for his defense," the existing system of assigning counsel to represent indigent defendants does not seem adequately to comply with the spirit of the amendment.

As I stated to a legislative subcommittee in the last Congress, the collaboration of the bar with the bench by voluntary acceptance of assignments as defense counsel, without compensation, is much like the use of the volunteer fire system in modern society. Both seem to be outmoded. It is neither adequate nor fair that the burden of defending persons who are unable to afford counsel when charged with the commission of crime should fall upon a tiny percentage of the whole bar, to be performed upon a gratuitous catch-as-catch-can basis. There is a community responsibility, consonant with a constitutional proscription, to provide full-time paid counsel, trained in the techniques of the criminal law, to represent the poor who are charged with crime. It is the business of all of us who are charged with maintaining our form of government within the framework of the Constitution to provide an adequate means of assuring every person of the "assistance of counsel for his defense" without regard to whether he has the means to pay for such counsel.

Accordingly, I am submitting a measure which will provide for the appointment of public defenders by the district courts of the United States either as full-time or part-time officers, as the volume of the work may require. The measure also provides that in any districts which do not contain a city of over 500,000 people and in which a regular public defender has not been appointed, the district court may, when deemed more economical than to provide a regular public defender, appoint counsel in particular cases and determine the compensation to be paid therefor. Thus the Federal courts will, it is believed, be able to make use of the best features of both the public defender and assigned counsel systems.

I respectfully request the prompt consideration of this legislative proposal and its early introduction in the 84th Congress.

The Bureau of the Budget has advised that there is no objection to the submission of this recommendation.

Sincerely,

Attorney General.

AMENDMENT OF CONTRACT SETTLEMENT ACT OF 1944

Mr. HENNINGS. Mr. President, by request, I introduce for appropriate reference, a bill to amend the Contract Settlement Act of 1944.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 635) to amend the contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes, introduced by Mr. HENNINGS (by request) was received, read twice by its title, and referred to the Committee on the Judiciary.

REVISION OF FEDERAL ELECTION LAWS

Mr. HENNINGS. Mr. President, at this time I introduce, for appropriate reference, a bill to revise the Federal election laws and to prevent corrupt practices in Federal elections, and for other purposes. The bill is introduced by me on behalf of myself and the distinguished senior Senator from Arizona [Mr. HAYDEN], the distinguished senior Senator from Rhode Island [Mr. GREEN], and the distinguished junior Senator from Tennessee [Mr. GORE]. I ask unanimous consent to have printed in the body of the RECORD, in connection with the introduction of the bill, a statement I have prepared in explanation of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 636) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was received, read twice by its title, and referred to the Committee on Rules and Administration.

The statement presented by Mr. HENNINGS is as follows:

STATEMENT BY SENATOR HENNINGS

The Congress of the United States has been confronted for many years by a most serious problem—the inadequacy of our existing Federal election laws. This is a problem which we must face, and a problem which we must solve. On frequent occasions, Congress has attempted to solve this problem, but, unfortunately, all such attempts have ended in dismal failure.

All true Americans are genuinely desirous of making certain that persons selected for elective office are individuals of highest character and integrity. The survival of our democracy requires that such be the case. And we must realize that it is difficult for a defective election system to produce good government. The fact that we have been blessed with such capable leaders throughout most of our history is not the result of

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued January 26, 1955
For actions of January 25, 1955
84th-1st, No. 12

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HIGHLIGHTS: President approved urgent deficiency appropriation bill. House Committee reported bill to continue Reorganization Act and Rules committee cleared it. Senate committee ordered reported bill to continue Reorganization Act.

HOUSE

1. REORGANIZATION. The Government Operations Committee reported without amendment H.R. 2576, to continue from Apr. 1, 1955 to Apr. 1, 1958, the Reorganization Act of 1949, and the Rules Committee reported a resolution providing for its consideration (H. Rept. 7)(p. 566).
2. VETERANS' BENEFITS; EDUCATION. The Veterans' Affairs Committee reported with amendment H. R. 587, to provide that persons serving in the Armed Services on Jan. 31, 1955 may continue to accrue educational benefits under the Veterans' Readjustment Assistance Act of 1952 (H. Rept. 8)(p. 566).
3. STATEHOOD. The "Daily Digest" states that "following the defeat of a motion to refer study of the proposed legislation to subcommittee, it was announced that hearings on Alaska-Hawaii statehood would be resumed on Friday morning" (p. D34).
4. LEGISLATIVE PROGRAM, as announced by Majority Leader McCormack: Wed., bill to continue Reorganization Act; Thurs., if rule is reported, bill to extend GI educational benefits (p. 563).

SENATE

5. REORGANIZATION. The Government Operations Committee ordered reported S. 613, to continue from Apr. 1, 1955 to Apr. 1, 1957, the Reorganization Act of 1949 (p. D33).
6. INTERGOVERNMENTAL RELATIONS. The Government Operations Committee ordered reported S. 539, "to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations" (p. D33).
7. COMMITTEE PROCEDURE; PERSONNEL. The Government Operations Committee unanimously agreed to adopt Rule 5 of the Permanent Subcommittee on Investigations which provides that any two members of the subcommittee shall constitute a quorum for the purpose of taking testimony under oath (p. D33).
8. PERSONNEL. The Post Office and Civil Service Committee ordered reported S. Res. 33, authorizing the committee to study and investigate administration of the civil service system (p. D34).

ITEMS IN APPENDIX

9. ECONOMIC POLICY; FOREIGN TRADE. Rep. Multer inserted a Time magazine article discussing our foreign economic policy, stating that last month "33 out of the 34 members of GATT... censured the United States for restricting dairy imports by quota," and claiming that foreign businessmen consider that U. S. tariffs, the Buy American Act, and our customs procedures are this country's biggest obstacles to expanding world trade (pp. A382-4).
10. BUDGET. Extension of remarks of Rep. Crater commending the President's presentation of the Budget (p. A393).
11. POSTAL RATES. Extension of remarks of Rep. Gwinn supporting the President's recommendation for an independent commission to handle the long-range postage-rate problem (p. A395).
12. FOREIGN TRADE. Rep. Rogers (Mass.) inserted William H. Miernyk's (Northeastern University) statement summarizing the results of a Bureau of Business and Economic research project dealing with the employment experience of displaced textile workers in New England (pp. A365-6).
Extension of remarks of Rep. Lane (Mass.), including a Boston Sunday Herald Annual Textile Review article opposing imports of Japanese textiles (p. A368).
Extension of remarks of Rep. Curtis defending the House Ways and Means Committee against criticism in a St. Louis Post-Dispatch editorial concerning the handling of the trade agreements extension legislation (pp. A391-2).
Extension of remarks of Rep. Wolverton, including a constituent's letter opposing the reduction of tariffs (p. A390).
13. FAMILY-SIZE FARMS. Extension of remarks of Rep. Thompson (Tex.), including a Hallettsville Tribune editorial discussing the "plight of the small farmers" and stating that a neighborhood delegation will be in Washington "during the next 3 days" to discuss their problems with the Agriculture Committee and Government officials (pp. A367-8).

CONSIDERATION OF H. R. 2576

JANUARY 25, 1955.—Referred to the House Calendar and ordered to be printed

Mr. BOLLING, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 109]

The Committee on Rules, having had under consideration House Resolution 109, report the same to the House with the recommendation that the resolution do pass.



House Calendar No. 2

84TH CONGRESS
1ST SESSION

H. RES. 109

[Report No. 7]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1955

Mr. BOLLING, from the Committee on Rules, reported the following resolution ;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself
3 into the Committee of the Whole House on the State of the
4 Union for the consideration of the bill (H. R. 2576) to
5 further amend the Reorganization Act of 1949, as amended,
6 so that such Act will apply to reorganization plans trans-
7 mitted to the Congress at any time before April 1, 1958.
8 After general debate, which shall be confined to the bill, and
9 shall continue not to exceed one hour, to be equally divided
10 and controlled by the chairman and ranking minority member
11 of the Committee on Government Operations, the bill shall be
12 read for amendment under the five-minute rule. At the con-

1 clusion of the consideration of the bill for amendment, the
2 Committee shall rise and report the bill to the House with
3 such amendments as may have been adopted, and the pre-
4 vious question shall be considered as ordered on the bill and
5 amendments thereto to final passage without intervening
6 motion except one motion to recommit.

House Calendar No. 2

84TH CONGRESS
1ST SESSION

H. RES. 109

[Report No. 7]

RESOLUTION

Providing for the consideration of H. R. 2576,
a bill to further amend the Reorganization
Act of 1949, as amended, so that such Act
will apply to reorganization plans trans-
mitted to the Congress at any time before
April 1, 1958.

By Mr. BOULING

JANUARY 25, 1955

Referred to the House Calendar and ordered to be
printed

FURTHER AMENDING THE REORGANIZATION ACT OF 1949, AS
AMENDED, SO THAT SUCH ACT WILL APPLY TO REORGANIZA-
TION PLANS TRANSMITTED TO THE CONGRESS AT ANY TIME
BEFORE APRIL 1, 1958

JANUARY 25, 1955.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. DAWSON of Illinois, from the Committee on Government Opera-
tions, submitted the following

R E P O R T

[To accompany H. R. 2576]

The Committee on Government Operations, to whom was referred the bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

H. R. 2576 proposes to extend the time from April 1, 1955, to April 1, 1958, in order to provide for the submission of the President's reorganization plans under the provision of the Reorganization Act.

This legislation is proposed in order to afford additional time to carry on an established policy of Congress, in delegating to the President authority to reorganize the executive branch of the Government. Such authorization was originally granted in the Economy Act of June 30, 1932. This act was amended and superseded by the act of March 3, 1933, as amended by the act of March 20, 1933, granting reorganization authority to the President for a period of 2 years. The Reorganization Act of 1939 was also approved for a 2-year period, and expired in January 1941. Temporary wartime authority for emergency reorganizations was delegated under title I of the First War Powers Act of December 18, 1941, for the duration of the war and 6 months. The Reorganization Act of 1945, which expired on April 1, 1948, continued the prewar policy after its utilization had clearly established its advantages and effectiveness over normal legislative processes in the expedition of action on reorganizations within the executive branch. The Reorganization Act of 1949 continued this

authority and provided for the transmission of reorganization plans to the Congress before April 1, 1953. Public Law 3, 83d Congress, extended the provisions of the Reorganization Act to April 1, 1955.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SEC. 5. * * *

(b) No provision contained in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, [1955] 1958.

[PUBLIC LAW 109—81ST CONGRESS]

[CHAPTER 226—1ST SESSION]

[H. R. 2361]

AN ACT To provide for the reorganization of Government agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SHORT TITLE

SECTION 1. This Act may be cited as the "Reorganization Act of 1949".

NEED FOR REORGANIZATIONS

SEC. 2. (a) The President shall examine and from time to time reexamine the organization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

(1) to promote the better execution of the laws, the more effective management of the executive branch of the Government and of its agencies and functions, and the expeditious administration of the public business;

(2) to reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government;

(3) to increase the efficiency of the operations of the Government to the fullest extent practicable;

(4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

(5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and

(6) to eliminate overlapping and duplication of effort.

(b) The Congress declares that the public interest demands the carrying out of the purposes specified in subsection (a) and that such purposes may be accomplished in great measure by proceeding under the provisions of this Act, and can be accomplished more speedily thereby than by the enactment of specific legislation.

REORGANIZATION PLANS

SEC. 3. Whenever the President, after investigation, finds that—

(1) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency; or

(2) the abolition of all or any part of the functions of any agency; or

(3) the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof; or

(4) the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof; or

(5) the authorization of any officer to delegate any of his functions; or

(6) the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of the reorganization plan will not have, any functions,

is necessary to accomplish one or more of the purposes of section 2 (a), he shall prepare a reorganization plan for the making of the reorganizations as to which he has made findings and which he includes in the plan, and transmit such plan (bearing an identifying number) to the Congress, together with a declaration that, with respect to each reorganization included in the plan, he has found that such reorganization is necessary to accomplish one or more of the purposes of section 2 (a). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session. The President, in his message transmitting a reorganization plan, shall specify with respect to each abolition of a function included in the plan the statutory authority for the exercise of such function, and shall specify the reduction of expenditures (itemized so far as practicable) which it is probable will be brought about by the taking effect of the reorganizations included in the plan.

OTHER CONTENTS OF PLANS

SEC. 4. Any reorganization plan transmitted by the President under section 3—

(1) shall change, in such cases as he deems necessary, the name of any agency affected by a reorganization, and the title of its head; and shall designate the name of any agency resulting from a reorganization and the title of its head;

(2) may include provisions for the appointment and compensation of the head and one or more other officers of any agency (including an agency resulting from a consolidation or other type of reorganization) if the President finds, and in his message transmitting the plan declares, that by reason of a reorganization made by the plan such provisions are necessary. The head so provided for may be an individual or may be a commission or board with two or more members. In the case of any such appointment the term of office shall not be fixed at more than four years, the compensation shall not be at a rate in excess of that found by the President to prevail in respect of comparable officers in the executive branch, and, if the appointment is not under the classified civil service, it shall be by the President, by and with the advice and consent of the Senate, except that, in the case of any officer of the municipal government of the District of Columbia, it may be by the Board of Commissioners or other body or officer of such government designated in the plan;

(3) shall make provision for the transfer or other disposition of the records, property, and personnel affected by any reorganization;

(4) shall make provision for the transfer of such unexpended balances of appropriations, and of other funds, available for use in connection with any function or agency affected by a reorganization, as he deems necessary by reason of the reorganization for use in connection with the functions affected by the reorganization, or for the use of the agency which shall have such functions after the reorganization plan is effective, but such unexpended balances so transferred shall be used only for the purposes for which such appropriation was originally made;

(5) shall make provision for terminating the affairs of any agency abolished,

LIMITATIONS ON POWERS WITH RESPECT TO REORGANIZATIONS

SEC. 5. (a) No reorganization plan shall provide for, and no reorganization under this Act shall have the effect of—

(1) abolishing or transferring an executive department or all the functions thereof or consolidating any two or more executive departments or all the functions thereof; or

(2) continuing any agency beyond the period authorized by law for its existence or beyond the time when it would have terminated if the reorganization had not been made; or

(3) continuing any function beyond the period authorized by law for its exercise, or beyond the time when it would have terminated if the reorganization had not been made; or

(4) authorizing any agency to exercise any function which is not expressly authorized by law at the time the plan is transmitted to the Congress; or
 (5) increasing the term of any office beyond that provided by law for such office; or

(6) transferring to or consolidating with any other agency the municipal government of the District of Columbia or all those functions thereof which are subject to this Act, or abolishing said government or all said functions.

(b) No provision contained in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, 1953.

TAKING EFFECT OF REORGANIZATIONS

SEC. 6. (a) Except as may be otherwise provided pursuant to subsection (c) of this section, the provisions of the reorganization plan shall take effect upon the expiration of the first period of sixty calendar days, of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period there has not been passed by either of the two Houses, by the affirmative vote of a majority of the authorized membership of that House, a resolution stating in substance that that House does not favor the reorganization plan.

(b) For the purposes of subsection (a)—

(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

(c) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

DEFINITION OF "AGENCY"

SEC. 7. When used in this Act, the term "agency" means any executive department, commission, council, independent establishment, Government corporation, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government, and means also any and all parts of the municipal government of the District of Columbia except the courts thereof. Such term does not include the Comptroller General of the United States or the General Accounting Office, which are a part of the legislative branch of the Government.

MATTERS DEEMED TO BE REORGANIZATIONS

SEC. 8. For the purposes of this Act the term "reorganization" means any transfer, consolidation, coordination, authorization, or abolition, referred to in section 3.

SAVING PROVISIONS

SEC. 9. (a) (1) Any statute enacted, and any regulation or other action made, prescribed, issued, granted, or performed in respect of or by any agency or function affected by a reorganization under the provisions of this Act, before the effective date of such reorganization, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, have the same effect as if such reorganization had not been made; but where any such statute, regulation, or other action has vested the function in the agency from which it is removed under the plan, such function shall, insofar as it is to be exercised after the plan becomes effective, be considered as vested in the agency under which the function is placed by the plan.

(2) As used in paragraph (1) of this subsection the term "regulation or other action" means any regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any reorganization plan under the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such reorganization plan takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the

questions involved, allow the same to be maintained by or against the successor of such head or officer under the reorganization effected by such plan or, if there be no such successor, against such agency or officer as the President shall designate.

UNEXPENDED APPROPRIATIONS

SEC. 10. The appropriations or portions of appropriations unexpended by reason of the operation of this Act shall not be used for any purpose, but shall be impounded and returned to the Treasury.

PRINTING OF REORGANIZATION PLANS

SEC. 11. Each reorganization plan which shall take effect shall be printed in the Statutes at Large in the same volume as the public laws, and shall be printed in the Federal Register.

TITLE II

SEC. 201. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 202); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

SEC. 202. As used in this title, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the _____ does not favor the reorganization plan numbered — transmitted to Congress by the President on _____, 19—.", the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled; and does not include a resolution which specifies more than one reorganization plan.

SEC. 203. A resolution with respect to a reorganization plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

SEC. 204. (a) If the committee to which has been referred a resolution with respect to a reorganization plan has not reported it before the expiration of ten calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such reorganization plan which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same reorganization plan.

SEC. 205. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(b) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or

motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

SEC. 206. (a) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a reorganization plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

Approved June 20, 1949.

[H. R. 2576, 84th Cong., 1st sess.]

A BILL To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended by the Act of February 11, 1953 (67 Stat. 4), is hereby further amended by striking out "April 1, 1955" and inserting in lieu thereof "April 1, 1958".

○

84TH CONGRESS
1ST SESSION

H. R. 2576

[Report No. 6]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1955

Mr. DAWSON of Illinois introduced the following bill; which was referred to the Committee on Government Operations

JANUARY 25, 1955

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

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2 *tives of the United States of America in Congress assembled,*
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4 of 1949 (63 Stat. 205), as amended by the Act of February
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6 ing out "April 1, 1955" and inserting in lieu thereof "April
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Union Calendar No. 6

84TH CONGRESS
1ST SESSION

H. R. 2576

[Report No. 6]

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

By **Mr. Dawson** of Illinois

JANUARY 20, 1955

Referred to the Committee on Government Operations

JANUARY 25, 1955

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued January 27, 1955
For actions of January 26, 1955
84th-1st, No. 13

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SENATE

WHEAT ALLOTMENTS AND QUOTAS. Passed as reported S. 145, to amend the Agricultural Adjustment Act of 1938 so as to provide for increased durum wheat acreage allotments and marketing quotas for the 1955 crop (pp. 630-1). The committee amendments are designed to make it clear that the additional allotments are to be restricted to counties which have produced durum wheat rather than to farms which have produced such wheat.

2. REORGANIZATION. The Government Operations Committee reported without amendment S. 613, to continue from Apr. 1, 1955 to Apr. 1, 1957, the Reorganization Act of 1949 (S. Rept. 16)(p. 606).

3. INTERGOVERNMENTAL RELATIONS. The Government Operations Committee reported with amendments S. 539, to continue the Commission on Intergovernmental Relations to June 30, 1955, and to provide for submission of its final report not later than June 30, 1955 (S. Rept. 15)(p. 606).

4. FARM CREDIT. Both Houses received FCA's proposed bill to authorize the Federal land banks to purchase certain remaining assets of the Federal Farm Mortgage Corporation; to H. Agriculture and S. Agriculture and Forestry Committees (pp. 598, 603).

5. ANIMAL QUARANTINE. Received La. Legislature resolutions requesting that the Treasury Department refuse further requests for delays in the return to Mexico of certain "smuggled Charloaise cattle and their offspring... which originated from an area in Mexico in which foot-and-mouth disease had been prevalent"; to Agriculture and Forestry Committee (pp. 604-5).
6. POSTAL RATES. Received from the Post Office Department a proposed bill to readjust postal rates and to establish a Commission on Postal Rates; to Post Office and Civil Service Committee (p. 603).
7. RAW MATERIALS. The Rules and Administration Committee ordered reported with amendment S. Res. 37, providing for 70,000 additional to the Interior and Insular Affairs Committee to continue studies and investigations (until Jan. 31, 1956) on the accessibility to the U. S. of supplies of critical raw materials essential to our security (p. D38).
8. FOREIGN AID. The Rules and Administration Committee ordered reported with amendment S. Res. 36, extending the time within which the Foreign Relations Committee may make a study of technical assistance and related programs (p. D38).
9. RUBBER. Received from the Rubber Producing Facilities Disposal Commission reports on its operations, and on expenditures for repairs, maintenance, etc., of the Government-owned rubber producing facilities during the 5-month period ending Nov. 30, 1954 (p. 603).
10. AIR POLLUTION. Sens. Kuchel and Martin, Pa., spoke in favor of Federal aid in solving the "growing problem" of air pollution, and Sen. Kuchel inserted a newspaper editorial on this subject (pp. 618-9).
11. RECLAMATION. Sen. Neuberger criticized "the failure to include in the 1956 Budget any funds for starting the Talent irrigation project" (pp. 623-5).
12. FOREIGN TRADE; WOOL. Sen. Watkins discussed the President's foreign economic policy message, stated that domestic industries such as wool must be protected from foreign competition, and claimed that this country has invoked the escape-clause only four times since the Trade Agreement Extension Act of 1951 became effective (pp. 617-8).

HOUSE

13. REORGANIZATION. Passed without amendment H. R. 2576, to continue from Apr. 1, 1955 to Apr. 1, 1958, the Reorganization Act of 1949, after rejecting amendments to limit the extension to 1 and 2 years in lieu of 3 years and to eliminate the requirement of a constitutional majority vote to veto a proposed plan. (pp. 573-94.)
14. VETERANS' BENEFITS; EDUCATION. The Rules Committee reported a resolution providing for the consideration of H. R. 587, to provide that persons serving in the Armed Services on Jan. 31, 1955 may continue to accrue educational benefits under the Veterans' Readjustment Assistance Act of 1952 (p. 571).

EXTENDING THE REORGANIZATION ACT OF 1949

JANUARY 26, 1955.—Ordered to be printed

Mr. HUMPHREY (for Mr. McCLELLAN), from the Committee on Government Operations, submitted the following

R E P O R T

[To accompany S. 613]

The Committee on Government Operations, to whom was referred the bill (S. 613) to extend the Reorganization Act of 1949 so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

This bill was introduced by the chairman of the committee, at the request of the Commission on Organization of the Executive Branch of the Government, of which he is a member, and of the President. Companion bills, H. R. 2563 and H. R. 2576, have been introduced in the House by Representative Brown of Ohio, who is also a member of the Hoover Commission, and by the chairman of the House Committee on Government Operations.

PURPOSE

The enactment of S. 613 would continue the Reorganization Act of 1949, as amended, from its present expiration date, April 1, 1955, to April 1, 1957. Its objective is to permit more effective reorganization of the executive branch of the Government, by authorizing the President to submit reorganization plans which would become law unless disapproved by a majority of the authorized membership of either House, within 60 calendar days following the date of submission.

The President, in his state of the Union message, stated:

I strongly recommend extension of the Reorganization Act, and the law establishing the Commission on Intergovernmental Relations, both of which expire this spring. Thus, the Congress will assure continuation of the excellent progress recently made in improving Government organization and administration.

This legislation is proposed in order to carry on an established policy of Congress, in delegating to the President authority to reorganize the executive branch of the Government. Such authorization was origi-

nally granted in the Economy Act of June 30, 1932. This act was amended and superseded by the act of March 3, 1933, as amended by the act of March 20, 1933, granting reorganization authority to the President for a period of 2 years. The Reorganization Act of 1939 was also approved for a 2-year period, and expired in January 1941. Temporary wartime authority for emergency reorganizations was delegated under title I of the First War Powers Act of December 18, 1941, for the duration of the war and 6 months. The Reorganization Act of 1945, which expired on April 1, 1948, continued the prewar policy after its utilization had clearly established its advantages and effectiveness over normal legislative processes in the expedition of action on reorganizations within the executive branch. The Reorganization Act of 1949 continued this authority, with modifications, to April 1, 1953, and extended during the 83d Congress to April 1, 1955.

PROVISIONS OF REORGANIZATION ACT OF 1949

The Reorganization Acts of 1939 and 1945 contained provisions which permitted the Congress to disapprove any reorganization plans submitted under those acts, within a 60-day period after submission thereof, by concurrent resolution stating, in substance, that the Congress did not favor the reorganization plan. The House of Representatives in considering extension of this authority in 1949 continued this disapproval procedure.

The 1939 act specifically exempted 21 named agencies from any reorganization, and the 1945 act exempted, either wholly or partly, 11 agencies from the operations of the act. The bill as approved by the House of Representatives in 1949 contained provisions which exempted from the full application of the act reorganizations which would affect the National Military Establishment, the Board of Governors of the Federal Reserve System, the Interstate Commerce Commission, the Securities and Exchange Commission, the Railroad Retirement Board, the National Mediation Board, and the National Railroad Adjustment Board, following the precedents for such exemptions contained in both the 1939 and 1945 acts.

The Senate Committee on Government Operations (then the Committee on Expenditures in the Executive Departments) reported, and the Senate approved unanimously a bill, S. 526 (S. Rept. 232, 81st Cong.), which continued the authority of the President to submit reorganization plans and removed exemptions which had placed certain specified agencies in a restricted category. It was the view of the committee that this action would permit wider powers to the President in submitting reorganization plans providing for realignments of Federal agencies that would be desirable and in the public interest. The liberalization of the original act, however, was conditioned on a provision of the bill, as reported, which provided that a simple resolution of disapproval by either the House or the Senate would be sufficient to reject or disapprove any reorganization plans submitted by the President.

In recommending that either House be authorized to disapprove a plan, the committee intended that the Congress would thus retain, to the fullest extent possible, the power to determine whether reorganization plans submitted to the Congress by the President shall become law through its normal legislative processes. However, this power of disapproval, vested in each House, did not authorize either House to revise the provisions of the plans, but enabled each House to prevent any plan, of which it disapproved, from becoming effective by a

simple majority of those present and voting. The power thus reserved to each House was essentially the same as that possessed by each House in the ordinary legislative process, in which no new law or change in existing law can be made if either House does not favor it. It was the committee's position that no significant difference appeared to exist by reason of the fact that under the ordinary legislative process the unwillingness of either House to approve the making of new laws or a change in existing law is manifested by the negative act of refusing to register a favorable vote, whereas under the original Senate bill the unwillingness must be manifested by the affirmative act of the passage of a resolution of disapproval of a reorganization plan. The full import of this difference becomes even more apparent when regard is had to the stringent rule contained in the bill which makes impossible actions calculated to delay or prevent consideration of resolutions of disapproval which have been favorably reported by the appropriate committee.

In adopting this disapproval procedure the committee agreed that no amendments to exempt any agency of the Government or other restrictions would be included, but members of the committee reserved the right to submit amendments exempting specific agencies if the Senate failed to sustain the provision for the disapproval of a plan by simple resolution of either House.

The Senate unanimously approved S. 526, as recommended by the committee, on May 16, 1949. The House also passed a companion bill (H. R. 2361), with the restrictions outlined above, which was substituted for the Senate bill. The Senate bill was then included as an amendment, and sent to conference. The Senate conferees stood solidly for retention of the provision for rejection by a simple majority vote of either House, which had been included in the Senate bill, the conferees agreeing to a considerable broadening of the President's authority compared with previous reorganization acts.

As finally approved in conference, after an impasse which lasted for several weeks, the bill incorporated Senate proposals granting the President authority to propose the creation of new departments—a power which was not given to him under earlier acts—and eliminated all restrictive and limiting provisions, but incorporated the provision requiring that a reorganization plan submitted under the act would require the adoption of a resolution of disapproval by a majority of the authorized membership of either House. The Senate, in approving the original Senate bill, had made it clear that the granting of these additional powers to the President had been conditioned upon retention of the provision permitting rejection of any plan by a simple majority vote of either House, and the concessions made by the conferees were approved only because they were necessary if any reorganization authority was to be granted to the President. The bill, which originally established April 1, 1953, as the final date for the submission of plans, was signed by the President on June 20, 1949, as Public Law 109.

The committee, in reporting the bill to extend the President's reorganization authority under the act to April 1, 1955, in the 83d Congress, reaffirmed both its own and the views of the Senate when the original act was approved in 1949. Since the Senate version of the 1949 act was not permitted to become law, and the existing abnormal method of procedure under the disapproval formula was adopted on the insistence of the House conferees, the committee held that it was only proper that the House should take the initiative in changing the

method of disapproval. The majority agreed, however, that the same reorganization authority granted to President Truman should be extended to President Eisenhower, and therefore recommended the extension of the act as approved by the House. The House bill, H. R. 1979, was approved in the Senate on recommendations of the committee (S. Rept. 36), and was enacted into law (Public Law 3, 83d Cong.).

PLANS SUBMITTED UNDER REORGANIZATION ACTS

President Hoover initiated 11 plans under the authority of the act of 1932, all of which were defeated through veto action in the House of Representatives, due to the impending change in administration. Under the 1933 act reorganizations were effected in agricultural, credit, procurement, disbursement, national park, immigration, internal revenue, and various other functions. President Roosevelt submitted five plans under the act of 1939, involving the creation of the Federal Security Agency, the Federal Works Agency, and the Federal Loan Agency, all of which were permitted to become law. Under this act the Executive Office of the President was also established.

Temporary changes effected under the War Powers Act, although extensive in some areas, were required to be made permanent under direct legislative action, or through permanent authority granted under the act of 1945. Under this latter act, President Truman submitted 7 plans, 3 of which were disapproved by concurrent resolutions of both Houses of Congress. Sections of these were approved by other plans submitted subsequently, to overcome objections raised to provisions in the original plans.

President Truman submitted a total of 41 reorganization plans under the authority of the Reorganization Act of 1949, which expired on April 1, 1953 (8 in 1949, 27 in 1950, 1 in 1951, and 5 in 1952), 30 of which were permitted to become effective. Of the 11 remaining reorganization plans, 2 were duplications of plans originally rejected and later approved with modifications to meet Senate objections; 8 were disapproved by the Senate and 1 by the House. One of the plans, dealing with reorganization of the National Military Establishment, was incorporated in Public Law No. 216, 81st Congress. Had the formula for disapproval for such plans recommended by the Senate been in effect, authorizing disapproval of plans by only a simple majority of either House, two more of the plans, No. 9 of 1950 relating to the Federal Power Commission, and No. 1 of 1951 on the reorganization of the Reconstruction Finance Corporation, would have been rejected by the Senate.

President Eisenhower submitted a total of 12 reorganization plans under authority of the act, as extended to April 1, 1955, during the 83d Congress, all of which became effective. The plans included the creation of the Department of Health, Education, and Welfare; the Foreign Operations Administration, and the United States Information Agency; others included realignments and transfers of functions affecting a number of Federal agencies.

There is transmitted herewith, for the information of the Senate, a table setting forth action taken on plans submitted to the 81st, 82d, and 83d Congresses, under authority of the Reorganization Act of 1949, as amended:

Action on reorganization plans, 81st and 82d Congresses

REORGANIZATION PLANS OF 1949

Plan No.	Title	Senate resolution of disapproval No.	S. Rept. No.	Senate vote on resolution of disapproval		
				Yeas	Nays	Date
1	Department of Welfare.....	147	¹ 851	60	32	Aug. 16, 1949
2	Bureau of Employment Security.....	151	² 852	³ 4 32	57	Aug. 17, 1949
3	Post Office Department.....	None	837	-----	-----	-----
4	National Security Council and National Security Resources Board.....	None	838	-----	-----	-----
5	Civil Service Commission.....	None	839	-----	-----	-----
6	Maritime Commission.....	None	840	-----	-----	-----
7	Public Roads Administration.....	155	927	³ 40	47	Aug. 17, 1949
8	National Military Establishment ⁵	None	None	-----	-----	-----

REORGANIZATION PLANS OF 1950

1	Department of Treasury.....	246-247	⁶ 1518	65	13	May 11, 1950
2	Department of Justice.....	None	1683	-----	-----	-----
3	Department of Interior.....	None	1545	-----	-----	-----
4	Department of Agriculture.....	263	⁶ 1566	(⁷)	-----	May 18, 1950
5	Department of Commerce.....	259	⁶ 1561	³ 4 29	43	May 23, 1950
6	Department of Labor.....	None	1684	(⁴)	-----	-----
7	Interstate Commerce Commission.....	253	⁶ 1567	66	13	May 17, 1950
8	Federal Trade Commission.....	254	1562	³ 34	37	May 22, 1950
9	Federal Power Commission.....	255	1563	³ 37	36	Do.
10	Securities and Exchange Commission.....	None	1685	-----	-----	-----
11	Federal Communications Commission.....	256	1564	50	23	May 17, 1950
12	National Labor Relations Board.....	248	⁶ 1516	53	30	May 11, 1950
13	Civil Aeronautics Board.....	None	1686	-----	-----	-----
14	Labor Standards Enforcement.....	None	1546	-----	-----	-----
15	Alaska and Virgin Islands Public Works.....	None	1547	-----	-----	-----
16	Assistance to School Districts and Water Pollution Control.....	None	1548	-----	-----	-----
17	Advance Planning and War Public Works.....	271	1676	³ 29	43	May 23, 1950
18	Building and Space Management Functions.....	270	1675	³ 7	69	Do.
19	Employees' Compensation Functions.....	None	1549	-----	-----	-----
20	Statutes at Large and Other Matters.....	None	1550	-----	-----	-----
21	Maritime Commission.....	265	1674	³ 14	59	May 19, 1950
22	Federal National Mortgage Association.....	299	1936	³ 30	43	July 6, 1950
23	Loans for Factory Built Homes.....	None	1870	-----	-----	-----
24	RFC to Department of Commerce.....	290	1868	(⁴) (⁷)	-----	July 6, 1950
25	National Security Resources Board.....	None	None	-----	-----	-----
26	Department of the Treasury ⁸	None	1869	-----	-----	-----
27	Department of Health, Education, and Security ⁹	302	1943	(¹⁰)	(¹⁰)	(¹⁰)

REORGANIZATION PLAN OF 1951

1	Reconstruction Finance Corporation.....	76	⁶ 213	³ 11 41	33	Apr. 13, 1951
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REORGANIZATION PLANS OF 1952

1	Bureau of Internal Revenue.....	285	1259	⁴ 37	53	Mar. 13, 1952
2	Post Office Department.....	317	² 1747	56	29	June 18, 1952
3	Bureau of Customs, Treasury Department.....	331	² 1748	51	31	Do.
4	Department of Justice (United States marshals).....	330	² 1749	55	28	Do.
5	District of Columbia.....	None	1735	-----	-----	-----

¹ Report in 3 separate parts: 1 majority, and 2 minority.² Report in 2 separate parts: 1 majority, and 1 minority.³ Senate failed to pass disapproving resolution by necessary 49 votes, and plan became effective.⁴ Disapproving resolution in House failed of passage by voice vote.⁵ Superseded by Public Law 216, Aug. 10, 1949.⁶ Report contains majority and minority views.⁷ Senate approved resolution by voice vote.⁸ Same as plan No. 1 of 1950, except that Comptroller of the Currency is excluded.⁹ Designed to overcome objections to plan No. 1 of 1949.¹⁰ House adopted disapproving H. Res. 647 by vote of 249 to 71 on July 10, 1950 (H. Rept. 2320).¹¹ House rejected disapproving H. Res. 142 by vote of 200 to 198 on Mar. 14, 1951 (H. Rept. 188).

Action on reorganization plans, 83d Congress

REORGANIZATION PLANS OF 1953

Plan No.	Title	Senate resolution of disapproval No.	S. Rept. No.	Senate vote on resolution of disapproval		
				Yeas	Nays	Date
1	Department of Health, Education, and Welfare.....	None	128			
2	Department of Agriculture.....	100	297	29	46	May 27, 1953
3	Office of Defense Mobilization.....	None				
4	Department of Justice.....	None				
5	Export-Import Bank of Washington.....	None				
6	Department of Defense ¹²	None				
7	Foreign Operations Administration.....	None				
8	United States Information Agency.....	None				
9	Council of Economic Advisers.....	None				
10	Payments to Air Carriers.....	None				

REORGANIZATION PLANS OF 1954

1	Foreign Claims Settlement Commission of the United States.....	None				
2	Liquidation of Certain Affairs of the Reconstruction Finance Corporation.....	None				

¹² Referred to the Senate Committee on Armed Services under an agreement entered into between the 2 committees.

¶ NOTE.—Details of plans are given in the individual Senate reports cited above; in S. Rept. 2581, dated Oct. 12, 1950; in the staff report on Senate action on Hoover Commission Reports, dated Oct. 15, 1952 (committee print); and S. Rept. 4, 83d Cong.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SEC. 5. * * *

(b) No provision contained in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, **[1955]** 1957.

[PUBLIC LAW 109—81ST CONGRESS]

(as amended)

[CHAPTER 226—1ST SESSION]

[H. R. 2361]

AN ACT To provide for the reorganization of Government agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SHORT TITLE

SECTION 1. This Act may be cited as the “Reorganization Act of 1949”.

NEED FOR REORGANIZATIONS .

SEC. 2. (a) The President shall examine and from time to time reexamine the organization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

(1) to promote the better execution of the laws, the more effective management of the executive branch of the Government and of its agencies and functions, and the expeditious administration of the public business;

(2) to reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government;

(3) to increase the efficiency of the operations of the Government to the fullest extent practicable;

(4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

(5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and

(6) to eliminate overlapping and duplication of effort.

(b) The Congress declares that the public interest demands the carrying out of the purposes specified in subsection (a) and that such purposes may be accomplished in great measure by proceeding under the provisions of this Act, and can be accomplished more speedily thereby than by the enactment of specific legislation.

REORGANIZATION PLANS

SEC. 3. Whenever the President, after investigation, finds that—

(1) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency; or

(2) the abolition of all or any part of the functions of any agency; or

(3) the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof; or

(4) the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof; or

(5) the authorization of any officer to delegate any of his functions; or

(6) the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of the reorganization plan will not have, any functions,

is necessary to accomplish one or more of the purposes of section 2 (a), he shall prepare a reorganization plan for the making of the reorganizations as to which he has made findings and which he includes in the plan, and transmit such plan (bearing an identifying number) to the Congress, together with a declaration that, with respect to each reorganization included in the plan, he has found that such reorganization is necessary to accomplish one or more of the purposes of section 2 (a). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session. The President, in his message transmitting a reorganization plan, shall specify with respect to each abolition of a function included in the plan the statutory authority for the exercise of such function, and shall specify the reduction of expenditures (itemized so far as practicable) which it is probable will be brought about by the taking effect of the reorganizations included in the plan.

OTHER CONTENTS OF PLANS

SEC. 4. Any reorganization plan transmitted by the President under section 3—

(1) shall change, in such cases as he deems necessary, the name of any agency affected by a reorganization, and the title of its head; and shall designate the name of any agency resulting from a reorganization and the title of its head;

(2) may include provisions for the appointment and compensation of the head and one or more other officers of any agency (including an agency resulting from a consolidation or other type of reorganization) if the President finds, and in his message transmitting the plan declares, that by reason of a reorganization made by the plan such provisions are necessary. The head so provided for may be an individual or may be a commission or board with two or more members. In the case of any such appointment the term of office shall not be fixed at more than four years, the compensation shall not be at a rate in excess of that found by the President to prevail in respect of comparable officers in the executive branch, and, if the appointment is not under the classified civil service, it shall be by the President, by and with the advice and consent of the Senate, except that, in the case of any officer of the

municipal government of the District of Columbia, it may be by the Board of Commissioners or other body or officer of such government designated in the plan;

(3) shall make provision for the transfer or other disposition of the records, property, and personnel affected by any reorganization;

(4) shall make provision for the transfer of such unexpended balances of appropriations, and of other funds, available for use in connection with any function or agency affected by a reorganization, as he deems necessary by reason of the reorganization for use in connection with the functions affected by the reorganization, or for the use of the agency which shall have such functions after the reorganization plan is effective, but such unexpended balances so transferred shall be used only for the purposes for which such appropriation was originally made;

(5) shall make provision for terminating the affairs of any agency abolished.

LIMITATIONS ON POWERS WITH RESPECT TO REORGANIZATIONS

SEC. 5. (a) No reorganization plan shall provide for, and no reorganization under this Act shall have the effect of—

(1) abolishing or transferring an executive department or all the functions thereof or consolidating any two or more executive departments or all the functions thereof; or

(2) continuing any agency beyond the period authorized by law for its existence or beyond the time when it would have terminated if the reorganization had not been made; or

(3) continuing any function beyond the period authorized by law for its exercise, or beyond the time when it would have terminated if the reorganization had not been made; or

(4) authorizing any agency to exercise any function which is not expressly authorized by law at the time the plan is transmitted to the Congress; or

(5) increasing the term of any office beyond that provided by law for such office; or

(6) transferring to or consolidating with any other agency the municipal government of the District of Columbia or all those functions thereof which are subject to this Act, or abolishing said government or all said functions.

(b) No provision contained in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, 1957.

TAKING EFFECT OF REORGANIZATIONS

SEC. 6. (a) Except as may be otherwise provided pursuant to subsection (c) of this section, the provisions of the reorganization plan shall take effect upon the expiration of the first period of sixty calendar days, of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period there has not been passed by either of the two Houses, by the affirmative vote of a majority of the authorized membership of that House, a resolution stating in substance that that House does not favor the reorganization plan.

(b) For the purposes of subsection (a)—

(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

(c) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

DEFINITION OF "AGENCY"

SEC. 7. When used in this Act, the term "agency" means any executive department, commission, council, independent establishment, Government corporation, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government, and means also any and all parts of the municipal government of the District of Columbia except the courts thereof. Such term does not include the Comptroller General of the United States or the General Accounting Office, which are a part of the legislative branch of the Government.

MATTERS DEEMED TO BE REORGANIZATIONS

SEC. 8. For the purposes of this Act the term "reorganization" means any transfer, consolidation, coordination, authorization, or abolition, referred to in section 3.

SAVING PROVISIONS

SEC. 9. (a) (1) Any statute enacted, and any regulation or other action made, prescribed, issued, granted, or performed in respect of or by any agency or function affected by a reorganization under the provisions of this Act, before the effective date of such reorganization, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, have the same effect as if such reorganization had not been made; but where any such statute, regulation, or other action has vested the function in the agency from which it is removed under the plan, such function shall, insofar as it is to be exercised after the plan becomes effective, be considered as vested in the agency under which the function is placed by the plan.

(2) As used in paragraph (1) of this subsection the term "regulation or other action" means any regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any reorganization plan under the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such reorganization plan takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the successor of such head or officer under the reorganization effected by such plan or, if there be no such successor, against such agency or officer as the President shall designate.

UNEXPENDED APPROPRIATIONS

SEC. 10. The appropriations or portions of appropriations unexpended by reason of the operation of this Act shall not be used for any purpose, but shall be impounded and returned to the Treasury.

PRINTING OF REORGANIZATION PLANS

SEC. 11. Each reorganization plan which shall take effect shall be printed in the Statutes at Large in the same volume as the public laws, and shall be printed in the Federal Register.

TITLE II

SEC. 201. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 202); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

SEC. 202. As used in this title, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the ——— does not favor the reorganization plan numbered — transmitted to Congress by the President on ———, 19—.", the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled; and does not include a resolution which specifies more than one reorganization plan.

SEC. 203. A resolution with respect to a reorganization plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

SEC. 204. (a) If the committee to which has been referred a resolution with respect to a reorganization plan has not reported it before the expiration of ten calendar days after its introduction, it shall then (but not before) be in order to

move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such reorganization plan which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same reorganization plan.

SEC. 205. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(b) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

SEC. 206. (a) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a reorganization plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

Approved June 20, 1949.

[S. 613, 84th Cong., 1st sess.]

A BILL To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended by the Act of February 11, 1953 (67 Stat. 4), is hereby further amended by striking out "April 1, 1955" and inserting in lieu thereof "April 1, 1957".

()

84TH CONGRESS
1ST SESSION

S. 613

[Report No. 16]

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1955

MR. McCLELLAN introduced the following bill; which was read twice and referred to the Committee on Government Operations

JANUARY 26, 1955

Reported by MR. HUMPHREY (for MR. McCLELLAN), without amendment

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 5 of the Reorganization Act
4 of 1949 (63 Stat. 205), as amended by the Act of February
5 11, 1953 (67 Stat. 4), is hereby further amended by striking
6 out "April 1, 1955" and inserting in lieu thereof "April 1,
7 1957".

84TH CONGRESS
1ST SESSION

S. 613

[Report No. 16]

A BILL

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957.

By Mr. McCLELLAN

JANUARY 21, 1955

Read twice and referred to the Committee on Government Operations

JANUARY 26, 1955

Reported without amendment

Calendar No. 19

84TH CONGRESS
1ST SESSION

H. R. 2576

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 1955

Ordered to be placed on the calendar

AN ACT

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 5 of the Reorganization Act
4 of 1949 (63 Stat. 205), as amended by the Act of February
5 11, 1953 (67 Stat. 4), is hereby further amended by strik-
6 ing out "April 1, 1955" and inserting in lieu thereof "April
7 1, 1958".

Passed the House of Representatives January 26, 1955.

Attest:

RALPH R. ROBERTS,

Clerk.

The fundamental concepts on which our military program is based are set forth in a letter from President Eisenhower dated January 5, 1955, in which he outlined to me his views on the various problems relating to the armed services, particularly in regard to the conservation and proper utilization of manpower. With the committee's permission I would like to place this letter in the record together with my letter to the President of January 3, 1955.

Admiral Radford, as Chairman of the Joint Chiefs of Staff, is here with me today and is prepared to discuss the military aspects of the international situation and our policies and programs. Where security considerations are involved we will ask the committee's permission to discuss those matters with you in executive session.

THE DEPARTMENT OF DEFENSE LEGISLATIVE PROGRAM

The Department of Defense has developed and is recommending to the Congress a coordinated legislative program which we feel will do much to improve our military position and enable us to make more effective use of the funds which the people of the United States through the Congress make available to us, as well as make more effective use of the manpower, both civilian and military working in our Defense Establishment.

On January 13 the President forwarded to the Congress a message outlining the administration's recommendations in regard to the extension of the Selective Service Act for a period of 4 years. He also recommended in that same message the extension of the provision authorizing the registration and induction of doctors and dentists for a period of 2 years and most importantly he recommended the strengthening of our Reserve forces to meet essential mobilization requirements.

The President also in a special message to Congress on January 13 made recommendations in regard to the career incentive program of the Department of Defense to provide for an increase in compensation of military service personnel on a selective basis. In this same message he recommended, also on a selective basis, increases in hazardous duty pay for our military personnel. This same program includes recommendations in regard to a reassignment allowance in connection with a permanent change of station for military personnel with dependents, an increase in the per diem allowance for temporary duty travel; more housing for service families in areas where present facilities are insufficient; authority for fair rentals where servicemen and their families must live temporarily in substandard housing; the removal of existing inequities in the provision of medical care for our military families; and the equalization of survivor benefits for military personnel.

In his budget message of January 17 the President outlined the military programs of the Department of Defense and his recommendations as to the funds required to support those programs.

The Department of Defense will also shortly recommend to the Congress its program for military public works and military family housing for the next year.

These measures constitute the more important legislation which the Department of Defense will ask your committee, the Senate Armed Services Committee and the Appropriations Committees of both Houses to consider during the current session of the Congress. We believe that these recommendations are vitally important to the welfare of our military people and therefore to the security of our country.

I urge the prompt consideration and early enactment of the measures to which I have referred, and members of the Department of Defense and the military departments will be glad to appear before your committee at

any time to give you a full and careful explanation of our recommendations and the reasoning back of them.

In this particular hearing I would like to comment briefly upon two of the legislative programs. The first of these is our recommendations in regard to an improved national Reserve plan. We believe that this plan will do much to correct our present inadequate Reserve situation. In its preparation we have carefully considered the views of many interested groups and of all interested agencies of the Government so that we could present to you the best plans possible in view of the problems that must be met. Specifically, the national Reserve plan provides for the following:

(a) Continuation of present manpower procurement procedures including induction and the minimum 8-year obligation for service in the active and Reserve forces.

(b) Modification of the present Reserve structure to produce a Ready Reserve that is in fact organized and well trained.

(c) Establishment of a new 6-month training program as a means of direct entry into the Reserve, including the National Guard, to meet valid military requirements, to be used to the extent deemed necessary by the President.

(d) Measures which will encourage and require better participation in Reserve training.

(e) Screening processes to insure suitable allocation of skilled manpower to both military and civilian requirements in an emergency.

(f) Authorization of State militia to be used for missions within the State in cases when the National Guard is being employed to meet emergency needs for the Federal Government.

(g) Equity of military obligation to the greatest extent feasible under conditions prevailing at this time.

The second, upon which I would like to comment, is the proposed Military Career Incentive Act. We are keenly aware of the importance of attracting and retaining in the armed services the required numbers of career personnel both in the officer and enlisted grades. Our objective is to maintain a sound Military Establishment ready at any time for whatever is required of it in defense of our vital interests. This readiness is dependent upon the technical skills and military leadership of our military personnel which can only be achieved after long and constant training. The integration into our Military Establishment of an increasing number of newer and more modern weapons is rapidly raising the level of technical skill and experience required of our military personnel. Experience has shown that we cannot maintain on a voluntary basis the total number of military personnel that are required for the foreseeable future. It is most important that we have a high level of long-term personnel within the Military Establishment. We must also have the authority to draft any required additional personnel on a short-term basis. We are not able, at the present time, to retain sufficient numbers of career personnel. This situation makes it mandatory that we bring their compensation and benefits more in line with that which men of equivalent experience, ability, and responsibility receive in civilian life. Many of the things that were once considered additional benefits in the military services have now become common in industry. We feel it is imperative, if we are to attract and retain the type of personnel that we all know is necessary, that our career military personnel receive an appropriate increase in compensation, better housing, better medical care for their dependents, and are free from worry about the reduction of such things as commissary and post-exchange privileges.

THE INTERNATIONAL SITUATION AS IT AFFECTS THE MILITARY PROGRAMS

During the past year we have made progress in our efforts to safeguard the peace. As the President pointed out in his state of the Union message, "Free nations of the world are collectively stronger than at any time in recent years." The security of the United States and the security of our allies are, in reality, one and the same. This concept of collective security is reflected in our military arrangements around the world.

In the Far East we are strengthening our bonds with our allies through the pending Manila Pact which supplements our treaties with Australia, New Zealand, the Philippines, Korea, and Japan. The treaty with the Government of the Republic of China should also help to stabilize the situation in the Far East. Korea, the Republic of China, and Japan have made progress in the past year in developing and improving their military forces and we are continuing to assist them in their efforts. The current situation in the Western Pacific was dealt with by the President in his message to the Congress on January 24.

In the European area the forces of our NATO allies have continued to grow in strength and combat effectiveness, particularly in the case of support forces. While the numerical buildup of ground forces in Europe was substantially completed prior to 1953, and there are still some deficiencies in NATO forces, significant organizational and tactical improvements have been made, permitting greater mobility and increased firepower. In the past 2 years naval strength has increased importantly and available frontline combat aircraft increased almost 50 percent.

With the ratification of the recent Paris agreements, European unity we hope will move forward another step. There is now a real prospect of adding the strength of free Germany to the defense of Western Europe.

In the Near East, Pakistan and Turkey have made arrangements to consult with each other on problems of mutual defense. Other nations in that area are showing a growing interest in similar arrangements. The United States is supporting these collective defense efforts by assisting those countries in equipping and training their military forces.

In this hemisphere, the Caracas and Rio Conferences have demonstrated to the world the unity of the American States in strengthening their economic ties and resisting the inroads of imperialistic communism.

While there are no apparent indications that the Soviet Union intends to take action during the next few years that would deliberately precipitate another world conflict, we must always be alert to the possibility that such a conflict might arise through miscalculation on their part. There is no indication that the Communist leaders have given up their goal to dominate and communize the world, and we do not now believe that their strategy or opposition to our way of life has changed materially.

In the development of our military programs now and in the future we must reckon with the Communist capabilities as well as with their possible intentions. Because their military power has continued to grow and now includes the ability to produce and deliver nuclear weapons, the United States for the first time in its history has reason to be deeply concerned over the serious effects which a sudden attack could conceivably inflict upon us.

At the same time we consider the Soviet capabilities from a military viewpoint we must also consider their capabilities in the fields of subversion, propaganda, and economic warfare. While creeping Communist expansion is a threat to our national security it is not one that can be met by mili-

tary means alone. We must be prepared to take action against subversion just as we must be prepared to meet the threat of military attack until such time as our efforts to achieve a just and lasting peace are successful. Because of the nature of the threat there is no way to predict a date of maximum danger. We must, therefore, be prepared for an indefinite period of years.

It is the long-term nature of the existing threats to our national security that emphasizes the importance of a vigorous healthy economy. Economic strength is a basic prerequisite of military strength.

MILITARY POLICIES OF THE DEPARTMENT OF DEFENSE

The President, the National Security Council, and the Department of Defense, including the Joint Chiefs of Staff and the military departments, have given a great deal of earnest consideration and study to the problem of developing sound military policies which will best serve the Nation for the years ahead. As a Nation we reject the concept of preventive war. However, a sudden nuclear attack aimed at our population, industrial, and military centers could be a threat to our survival as a nation. Therefore, our primary objective must be to maintain the capability, first to deter an enemy from such an attack; and second, to blunt any such attack if it comes. Both purposes require a combination of effective retaliatory power and a continental defense system of steadily increasing effectiveness. These two tasks logically demand high priority in our security planning.

There are additional military tasks, essential to ultimate victory, should general war be thrust upon us, which we must be capable of performing. The sea lanes would have to be cleared and protected to enable us to support our forces overseas and those of our allies. We must be in a position to deal with critical land situations as they arise and we recognize that the problem of maintaining order and organization under the conditions that might prevail in the major cities of our country could of itself constitute a major challenge.

To provide for meeting lesser hostile action such as local aggression, we must rely primarily on the collective defenses of the free world now in existence and being strengthened in many areas. However, because indigenous forces do not provide a complete defense in themselves, and because our own vital interests and pledged faith might be involved, the United States should be ready to provide timely assistance in certain situations to cope with local aggression.

We must also have ready reserve forces, an adequate mobilization base, appropriate reserves of ammunition and other equipment, and stockpiles of critical materials to meet the needs of an all-out war if such a situation should be forced upon us. This is the kind of defense structure that we must build and maintain to deal with the situation we face in the world today. At the same time we must carefully consider the force levels, composition, and the organization of our armed services. The services must be so organized as to permit the maximum utilization of our scientific, technological, and production abilities. In addition to the maximum utilization of modern technology we must plan and organize our forces so as to get maximum combat strength and at the same time minimize the number of men required on full time active duty. To retain excessive numbers of men on active duty not only increases the cost to the country but at the same time it decreases our ability to support the Military Establishment by removing manpower from more productive civil pursuits.

The lack of reasonable stability in our military programs is a most wasteful and ex-

pensive practice. We cannot afford to revert to the feast or famine pattern of our past history, not just because of the effect upon our economy but primarily because we cannot take the military risks involved in such a policy. Development of a sound, long-term security requires that we design our forces so as to assure a steadily increasing efficiency, in step with scientific advances, but characterized by a stability that is not materially disturbed by every propaganda effort of unfriendly nation, or wishful thinking on the part of ourselves or our Allies.

We believe that efficiency and economy in the operation and management of the Defense Establishment is essential to the national security. We must have quality as well as quantity and only in this way can we get the maximum defense per dollar spent. A potential source of future savings and increased efficiency, for example, lies in our ability to level off our training costs once we are able to stabilize our forces by attracting and holding the highest type of personnel both in our military and civilian positions.

MILITARY PROGRAMS

These are the military policies which guided the development of the fiscal year 1956 military program. We believe we have planned a well-balanced program of both offensive and defensive forces and one which fits into the overall pattern of collective allied strength. Certain of our forces, however, are specifically designed for continental defense and these are the forces I would first like to discuss.

The United States has been building a continental air defense system for several years. This is a massive undertaking, involving great cost and effort, not only in the far north country but in its seaward extensions.

The major elements of this system are (1) the warning net, on the land, on the sea, and in the air, employing both electronic means such as radar and the eyes and ears of hundreds of thousands of our private citizens in the Ground Observer Corps manning 13,000 posts throughout the country; (2) the weapons systems, including manned interceptor aircraft, antiaircraft artillery, and guided missiles; and (3) the communication and control system, the essential link between the warning net and the weapons systems.

While continental air defense is the primary responsibility of the Air Force, the continental defense system is a joint undertaking of all the services, including the participation of selected elements of the reserve forces of the Army, Navy, and Air Force. The Air Force and its reserve components, for example, provide the land warning net, the Texas towers, the close-in airborne early warning aircraft, and the manned interceptor forces. The Army, assisted by the National Guard, provides the antiaircraft artillery and NIKE guided missile units. The Navy furnishes the seaborne early warning facilities, namely the picket ships, the distant airborne early warning aircraft, harbor defense, and submarine surveillance.

In addition, each of the services in time of emergency will contribute such aircraft, radar facilities, and the antiaircraft artillery forces as may be available in its active forces and Reserve components. The Air Force, for example, would provide all available tactical and training aircraft in the continental United States and the bulk of the Air Force reserve forces would be committed to this mission for a period of time. The Army would contribute such National Guard antiaircraft resources and such other antiaircraft units of the active forces as may be available in the continental United States. The Navy and Marine Corps would contribute such aircraft, both land and ship based, as may be available and useful at the time of emergency.

The problem of coordinating this vast aggregate of forces is indeed a big one. For this reason we have recently established the new Continental Air Defense Command with headquarters at Colorado Springs, which is responsible for the control of the combat elements and coordination of the early warning systems.

The continental air defense program is being pushed with all practical speed. It is important to understand that the kind of equipment needed in this program is subject to rapid obsolescence due to the high rate of technological advance in this field. The improvement of the system is geared to the availability of suitable equipment and to the capacity of our forces to use this equipment.

Considerable progress has been made in the implementation of comprehensive plans for aircraft control and warning and submarine detection, as well as in measures for the destruction of hostile aircraft and submarines. The aircraft control and warning network will encompass (1) the present continental United States permanent radar network, which is undergoing substantial augmentation; (2) the southern Canadian pinetree radar network, which is virtually completed; (3) an early warning line across middle Canada; and (4) the distant early warning line across the most northerly practicable part of North America.

The Canadian Government is making an invaluable contribution to the air defense of the North American Continent. The Canadian forces not only participate in the warning net but also provide a number of interceptor squadrons for this mutual effort. Important agreements in relation to the financing, equipping, and operation of the mid-Canada and the distant early warning lines have recently been negotiated with Canada and we have no important matters remaining to be settled in this regard. They are contributing a full share in the planning, operation, and financing of this important undertaking.

The continental United States radar network is being extended seaward from both coasts by radar-equipped aircraft, radar picket vessels, and large radar in so-called Texas towers being installed on strategically situated shoals off our coasts. The mid-Canada line will be extended seaward by the use of airborne early warning aircraft and radar picket ships. A limited number of aircraft and radar picket ships have already begun operations and construction of the first Texas tower will begin soon. Equipment is being procured to convert the continental defense net to a new semiautomatic system to improve communications, data processing, and weapons control.

Our expanding active Air Force fighter interceptor squadrons are 100 percent equipped with modern jet fighters. Improved firepower in these interceptor forces is being achieved by the introduction of high performance air-to-air rockets and Falcon and Sparrow guided missiles will soon give our interceptors increased kill effectiveness.

Antiaircraft defenses around many of our critical targets are being strengthened by the installation of the Army's Nike surface-to-air guided missile. We are encouraged by the number of Nike batteries now ready to engage hostile aircraft should the need arise. Improved surface-to-air guided missiles are expected to be available in the future.

A comprehensive and vigorous research and development effort is directed toward the future air defense system which will encompass radars of increased range and height finding capability; high performance long-range, medium-range, and short-range piloted and pilotless interceptors; more versatile surface-to-air guided missiles; improved devices for submarine detection; and nuclear weapons applications to continental defense.

While our air defense system is already formidable, we must devote our efforts to a

steadily improving air defense system phased to cope with growing Soviet capabilities and make maximum feasible use of new weapons and techniques as quickly as they are developed. We must recognize that in a very real sense all forces included in our military programs contribute in some measure to continental defense: offensive forces by their deterring effect and overseas-based forces plus our allies by posing both material and psychological obstacles to any potential enemy operations.

I would now like to discuss our retaliatory capabilities. We have provided in our military program very powerful retaliatory forces in the Strategic Air Command of the Air Force. In addition, a great retaliatory capability exists in the carrier striking forces of the Navy, and in the tactical air units of the Air Force and the Marine Corps. Our policy calls for flexibility and versatility in the employment of existing forces. We are prepared to use our total resources in the most effective manner appropriate to the particular situation.

The buildup of the Strategic Air Command of the Air Force is continuing. This part of our retaliatory force will increase in numbers, but more importantly in quality as the remaining reciprocating engine bombers are replaced by modern jet aircraft. The B-36, long the mainstay of the long-range strategic forces, will be replaced by the B-52, the new long-range jet bomber. The long-range strategic fighter units in the Strategic Air Command forces are scheduled to be reequipped with supersonic fighters possessing a nuclear capability. These forces are being maintained in a high degree of readiness. Some of these forces are capable of operating directly from the continental United States; all are capable of operating from bases scattered around the globe. Local air defense for bases in areas outside the continental air defense system is being improved.

The carrier striking forces will be augmented by 1 additional carrier and 1 carrier air group this year. More importantly, both the carriers and the aircraft are being rapidly modernized, the carriers both through the conversion of existing carriers and the construction of new carriers, and the aircraft through the replacement of old models with the new aircraft now in production.

I am sure you are all familiar with the new Forrestal class carriers, the first of which was launched about a month ago. These new carriers, as well as other carriers that are being modernized, will be equipped with newly developed aircraft with improved nuclear capabilities, such as the A3D and A4D, and very high speed fighters such as F9F9, FJ4 and F3H. Our carrier-based airpower increases the flexibility and dispersion of our retaliatory power.

The Army has also improved its nuclear capabilities. Atomic artillery and Honest John unguided rockets, both capable of delivering atomic warheads, are now included in Army units in the Continental United States and overseas.

The capability of our retaliatory force is dependent upon its quality as well as its size. The tremendous destructive power of nuclear weapons has put a premium on certainty of delivery. A single aircraft may now accomplish what would have required thousands of aircraft during World War II. Consequently, the quality of our retaliatory force is now becoming increasingly more important than its size. We feel fully confident that the retaliatory forces provided in our program are equal to the tasks they must perform.

A portion of our ground forces, amphibious forces, and tactical air forces must be deployed in line with our international commitments and strategic needs. However, from the viewpoint of collective defense of the free world, it is essential to hold these deployed forces to the minimum and to con-

centrate, principally in the United States, the balance of our forces in a strategic reserve available for use wherever they may be required.

We recognize both the possible needs for timely reinforcement of United States forces overseas as well as the practical considerations limiting the rapid deployment of large military forces from the continental United States immediately on the outbreak of war. Thus, we must achieve a proper balance between the size of our active forces and the size of our Ready Reserve forces. We must develop reserve forces adequate in size and combat effectiveness to sustain and augment the active forces of all services in a timely manner in the event of an all-out war. The new legislation requested by the President earlier this month will provide the foundation for rebuilding, strengthening and improving the readiness of the civilian components of our Armed Forces to meet today's requirements for rapid mobilization.

An essential task during the initial period, in the event of global war, will be to clear and keep open the sea lanes that tie us to our allies. Our military programs provide the forces to deal with potential enemy naval forces; to seize and defend advance naval bases; to conduct antisubmarine warfare and to carry out the minesweeping, minelaying, and harbor defense missions of the Navy.

As we all recognize, global war is not the only threat to our national security. Our forces must also be prepared to cope with lesser hostile actions. Within the framework of collective defense of the free world we must place growing reliance on the forces of the other free nations of the world. We will continue to assist in the equipping and training of these forces. We must recognize, however, that there may be places where local forces cannot by themselves cope with aggression directed against them. We must be prepared, in line with our collective security responsibilities, to come rapidly and effectively to their assistance.

The forces and manning levels which are proposed in the President's budget for fiscal year 1956 are based on the concepts and policies I have just outlined. I would now like to summarize these force objectives in terms of the individual services.

At the end of December the Army had an active duty strength of about 1,300,000 men, and was supporting major combat elements consisting of 19 divisions, 12 regiments, and 117 anti-aircraft battalions. Under the budget program for fiscal year 1956, approved by the President, the Army will reduce its active-duty strength to approximately 1,027,000 men by June 30, 1956, and will be supporting 13 mobile divisions, 11 regiments, and 136 anti-aircraft battalions. In addition, the Army will have 2 divisions termed "static" divisions, indicating that their mission is fixed and that not all troops will be stationed in 1 area and 3 additional training divisions which will be organized to enable the Army to carry out its divisional rotation program announced by the Army early last year.

The Army is actively studying the changes in organization and doctrine required to gear its force structure, organization, and equipment to present and projected changes in weapons technology. Tests have been going on for some time at Fort Benning and Fort Hood, and more extensive tests on the divisional level will be held to study these new formations and concepts under simulated conditions of atomic war. The force structure beyond June 1956 may begin to reflect the results of these tests. While it is premature to draw definite conclusions at this time, it would appear that in the future the Army may be organized into a larger number of smaller, but more mobile and self-contained units of great firepower.

The Navy program for fiscal year 1956 will provide for the operation of over 1,000 active

ships, including 405 warships. Active duty military strength will be gradually reduced from 687,000 at the end of December to approximately 664,000 by June 30, 1956. The number of carrier air groups will be increased from the present 16 to 17, and an additional attack carrier equipped with modern aircraft will be added to the fleet. The program will continue to maintain 15 antisubmarine warfare squadrons.

The Marine Corps will reduce its active duty strength from 221,000 at the end of December to approximately 193,000 by June 30, 1956, but will continue to maintain 3 combat-ready divisions and 3 airwings and essential supporting elements. At the same time certain redeployments of Marine Corps forces now in progress will increase their effectiveness and readiness for emergency employment.

The Navy will continue to maintain an active aircraft inventory of 13,000 planes, of which 10,000 will be operating aircraft in Naval, Marine, and their Air Reserve units. In addition to conversion and modernization of older types, a significant number of new ships will be added to the fleet during the current and succeeding fiscal year. The fiscal year 1956 budget provides over \$1.3 billion for the construction of new-type ships and the modernization of older types.

The Air Force will continue its build-up toward the 137-wing goal and the 975,000 manpower target established over a year ago. The objective for June 30, 1956, is now 131 wings—4 more combat wings than the Air Force planned 1 year ago. The Chief of Staff of the Air Force advised me of this most recent change during the preparation of this statement. The active aircraft inventory of the Air Force will increase to over 23,000 by June 30, 1956, and will continue to increase in fiscal year 1957. Continuing modernization of the inventory is being accomplished simultaneously, and by June 30, 1956, the combat units of the Air Force will be almost 100 percent jet equipped. Over \$6 billion in new appropriations are requested in the 1956 budget for Air Force aircraft and guided missiles. Another substantial increment of military construction funds will be requested early this spring to push forward the construction of airbases and other military installations required by the expanding Air Force program.

It is apparent from what I have said that science and technology are playing an important role in our military planning. The effectiveness of a military research and development program cannot be measured solely in terms of the number of dollars we expend for this purpose. I am confident that the present level of Department of Defense research and development expenditures is just about right. It is important to maintain stability in the overall level of expenditures in this field in order to facilitate sound planning. Our principal problem is to apportion our efforts in such a way as to produce the greatest possible amount of usable research and development. Our fiscal year 1956 program lays particular stress on the utilization of nuclear energy in military operations. The U. S. S. *Nautilus* put to sea on January 17 and its performance has exceeded expectations. This event is typical of what research and development can do, and opens up an entire new field of propulsion, not only for ships, but eventually for aircraft. Our program also emphasizes new equipment and techniques required to provide the mobility needed to meet the changed requirements of nuclear warfare and the development of operational guided missiles to meet the urgent requirements of our air defense and retaliatory forces.

Long-range studies by the Department of Defense have been made to determine the best balanced and the most effective use and deployment of our Armed Forces. Our analysis of this problem included an examination of (a) strategic concepts and imple-

menting plans, (b) roles and missions of the services, (c) composition and readiness of our forces, (d) development of new weapons and weapons systems and the resulting new advances in military techniques, and (e) our military assistance programs. We are continuing to eliminate any overlapping of operations or administration and at all times have in mind the development of our forces on an economical basis.

At all times we have kept in mind the necessity for providing forces which are adequate for our Nation's security and have attempted to the best of our ability to determine the size of these forces in the light of (1) the need to maintain these forces in a qualitatively improved state of readiness, (2) the importance of assisting our allies in their own military security programs, (3) the necessity for an adequate defense of the continental United States within our integrated military programs, (4) the best utilization of the qualified manpower that can be made available, (5) the need for sustaining an adequate and stable military program over an indefinite number of years and as a consequence the feasible annual expenditures and new appropriations that can be made available for military programs within the framework of a growing economy.

We concluded that in certain areas the United States forces were not deployed to the best advantage of this country and the free world and that for their best utilization in the event of major war or of local aggression certain redeployments were both desirable and necessary. Through this effort we have attempted to develop a force structure which can be maintained, once it is stabilized, in a qualitatively improved State of readiness for an indefinite period of time. We feel that this military program will furnish a sound base for mobilization in the event of a general emergency, enable us to maintain ready forces to perform essential tasks in the initial phases of a general war, and enable the United States promptly to supplement the indigenous forces of our allies in the event of aggression short of general war.

We believe that the United States is approaching such a force and that the program as outlined in the budget for fiscal year 1956 represents the general order of magnitude of the size forces that this country can effectively maintain, can improve on a qualitative basis and that the economy of the country can continue to support.

We recognize that improvements in organization and in weapons may make possible certain small savings and adjustments but that our overall strength in the active forces will need to be held to this general level for the next several years. As our reserve structures and organizations improve it may be possible at a future date that their contribution will permit further minor adjustments in the active force levels.

In arriving at the conclusions set forth above the Joint Chiefs of Staff and all of the military services have been consulted at frequent intervals. Their views, while not in all cases unanimous, have been considered by the National Security Council and the President. The total personnel strength of the active forces and the target end strength for each service for June 30, 1956, have resulted from these reviews. I believe that it is fair to add that the Air Force feels that our defense program is a good one. The Navy and the Marine Corps have some minor reservations, and would perhaps like a few additional personnel. The Army from its point of view would still recommend some higher strength for the active forces of the Army. In my own opinion the program we have adopted is a sound one. Admiral Radford is here to give you his opinion in regard to these matters, and I understand that the Secretaries and Chiefs of each Service will also appear before your Committee.

In working out this program we have been fully conscious of the impact that any reductions in our deployments abroad or in the strength of our total military forces might have upon our Allies and have considered our plans carefully with due regard to the improved strength which they themselves are able to maintain, in many cases with our aid. None of the redeployments which we have made, nor the adjustments in our personnel strengths, should be considered as indicating any lessening of our determination to defend those areas vital to the securities interests of this country and the free world.

In connection with the current problem in the Pacific and in particular the Formosa Straits, President Eisenhower said, "What we are now seeking is primarily to clarify present policy and to unite in its application. We are not establishing a new policy. Consequently my recommendations do not call for an increase in the Armed Forces of the United States or any acceleration in military procurement or levels of defense production. If any unforeseen emergency arises requiring any change, I will communicate with the Congress. I hope, however, that the effect of an appropriate congressional resolution will be to calm the situation rather than to create further conflict."

The forces envisaged in the long-range program of the Department of Defense constitutes by far the largest Military Establishment that this country has ever undertaken to maintain for an indefinite period of time. With the incorporation into our Military Establishment of the new weapons that we have developed, they constitute a force of tremendous striking power. The maintenance of these forces and their qualitative improvement will require expenditures over an indefinite period of years of many billions of dollars.

I cannot at this time foresee any important reduction in the Military Establishment nor in the total annual military expenditures of the Department of Defense below the present levels, nor do I see any need for any important increases short of war.

THE SECRETARY OF DEFENSE,
Washington, January 3, 1955.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: For nearly 2 years we have discussed the various problems relating to the armed services and in particular the need for the conservation and proper utilization of our manpower, both military and civilian. Just before Christmas you again discussed the question of personnel strengths with me and the Joint Chiefs of Staff.

I have found so much value in the views underlying your decisions as to the personnel strengths of the armed services that I wonder if you would give me the gist of them in written form. I should like very much to have them available during the next year to guide me in my consideration of those matters and to be able to make them available to all of the interested people who are considering this problem.

With great respect, I am
Faithfully yours,

C. E. WILSON.

THE WHITE HOUSE,
Washington, January 5, 1955.
The Honorable CHARLES E. WILSON,
The Secretary of Defense,
Washington, D. C.

DEAR MR. SECRETARY: Responding to your request I shall, in this note, briefly summarize the views on our general needs in military strength, including personnel, that I expressed verbally to you and the Joint Chiefs of Staff in December. Needless to say, these convictions on how best to preserve the peace were formed after earnest consideration of the oral and written views of our military advisers.

In approaching this problem, we should keep ever before us the realization that the security of the United States is inextricably bound up with the security of the free world. For this reason, one of our tasks is to do everything possible to promote unity of understanding and action among the free nations so that each may take its full and proper part in the cooperative process of establishing a lasting and effective security.

Certain considerations, applying more specifically to our own country's military preparations, are these:

First, the threat to our security is a continuing and manysided one—there is, so far as we can determine, no single critical danger date and so single form of enemy action to which we could soundly gear all our defense preparations. We will never commit aggression, but we must always be ready to defeat it.

Second, true security for our country must be founded on a strong and expanding economy, readily convertible to the tasks of war.

Third, because scientific progress exerts a constantly increasing influence upon the character and conduct of war, and because America's most precious possession is the lives of her citizens, we should base our security upon military formations which make maximum use of science and technology in order to minimize numbers in men.

Fourth, due to the destructiveness of modern weapons and the increasing efficiency of long-range bombing aircraft, the United States has reason, for the first time in its history, to be deeply concerned over the serious effects which a sudden attack could conceivably inflict upon our country.

Our first objective must therefore be to maintain the capability to deter an enemy from attack and to blunt that attack if it comes—by a combination of effective retaliatory power and a continental defense system of steadily increasing effectiveness. These two tasks logically demand priority in all planning. Thus we will assure that our industrial capacity can continue throughout a war to produce the gigantic amounts of equipment and supplies required.

We can never be defeated so long as our relative superiority in productive capacity is sustained.

Other essential tasks during the initial period following a possible future attack would require the Navy to clear the ocean lanes, and the Army to do its part in meeting critical land situations. Our forces in NATO and elsewhere could be swiftly engaged. To maintain order and organization under the conditions that would prevail in attacked areas of our country would of itself constitute a major challenge. Improved Reserve programs would help greatly—in fact might prove the decisive margin—in these as in other major tasks.

To provide for meeting lesser hostile action—such as local aggression not broadened by the intervention of a major aggressor's forces—growing reliance can be placed upon the forces now being built and strengthened in many areas of the free world. But because this reliance cannot be complete, and because our own vital interests, collective security and pledged faith might well be involved, there remain certain contingencies for which the United States should be ready with mobile forces to help indigenous troops deter local aggression, direct or indirect.

In view of the practical considerations limiting the rapid deployment of large military forces from the continental United States immediately on outbreak of war, the numbers of active troops maintained for this purpose can be correspondingly tailored. For the remainder we may look primarily to our Reserves and our mobilization base, including our stockpile of critical materials.

All these capabilities have a double value—they serve our aim in peacetime of preventing war through their deterrent effect; they

form the foundation of effective defense if aggressors should strike.

Both in composition and in strength our security arrangements must have long-term applicability. Lack of reasonable stability is the most wasteful and expensive practice in military activity. We cannot afford intermittent acceleration of preparation and expenditure in response to emotional tension, inevitably followed by cutbacks inspired by wishful thinking. Development of sound, long-term security requires that we design our forces so as to assure a steadily increasing efficiency, in step with scientific advances, but characterized by a stability that is not materially disturbed by every propaganda effort of unfriendly nations.

It is, of course, obvious that defensive forces in America are maintained to defend a way of life. They must be adequate for this purpose but must not become such an intolerable burden as to occasion loss of civilian morale or the individual initiative on which, in a free country, depends the dynamic industrial effort which is the continuing foundation of our Nation's security.

It is at this point that professional military competence and political statesmanship must join to form judgments as to the minimum defensive structure that should be supported by the Nation. To do less than the minimum would expose the Nation to the predatory purposes of potential enemies. On the other hand, to build excessively under the impulse of fear could, in the long run, defeat our purposes by damaging the growth of our economy and eventually forcing it into regimented controls.

It is for the reasons so briefly touched upon above that I have decided to present to the Congress, on behalf of the administration, a program which has been under development during the past 2 years. That program contemplates an active personnel strength of the Armed Forces at June 30, 1955, of approximately 3 million, within which the Air Force will be increased to about 975,000.

Experience will determine to what extent the personnel strengths set for June 1955 can be further reduced. It would not be wise at this time to fix rigid targets for 1956. As a goal, I suggest a strength of the order of 2,850,000, with any further material reductions dependent upon an improved world situation. To reach such figures without injuring our combat strength will require continuing close scrutiny of all defense elements, with particular emphasis on administrative overhead.

Essential to this entire program is economy in operation. If we are to support active and effective forces of the order indicated over a period which may last for decades, we must practice a strict austerity in day-to-day operations. This is an insistent and constant mission of every responsible official, military and civilian, in the Defense Department.

In this time of rapidly developing technology and frequent changes in the world situation, we should in our efforts for peace and security continuously reshape our programs to changing conditions and avoid fixed or frozen ideas. The threat of modern war calls for constant modernization.

Since your request to me and this reply both deal with matters on which our citizenry ought to be as fully informed as considerations of security permit, I am directing the public release of the two documents.

Sincerely,

DWIGHT D. EISENHOWER.

REMARKS OF HON. CARL VINSON, OF GEORGIA

Mr. Secretary, I want to commend you on an outstanding statement. I've been here a long time and I have heard many résumés on world situations, and defense needs, but I believe your statement is the most comprehensive and the most forthright one I have ever heard. Your reasoning is sound

and your candor is highly commendable. I hope that the American people and the world will take full cognizance of your remarks.

Now I would like to comment more specifically on what you have said. First, I would like to assure you of my complete and early cooperation in the legislative program that you have outlined. I find myself in general accord with everything that you have recommended where legislative action is necessary. I'm confident the full committee is in complete agreement with your objectives.

Now, Mr. Secretary, it is a rare thing for us to adopt a bill just as it is sent over from the Department. We will have a few t's to cross and a few i's to dot, and I wouldn't be surprised if we added a few amendments. In fact, in some cases the similarity between the original bill and the finished product may not be readily apparent, but I can assure you that as far as I am concerned, the ultimate objective will be the same.

It seems to me that our whole problem of national defense is well stated in your comment which I would like to quote:

"While there is no apparent indication that the Soviet Union intends to take action during the next few years that would deliberately precipitate another world conflict, we must always be alert to the possibility that such a conflict might arise through miscalculation on their part. There is no indication that the Communist leaders have given up their goal to dominate and communize the world, and we do not now believe that their strategy or opposition to our way of life has changed materially."

In other words, Mr. Secretary, the goal of communism is world domination; and knowing what the Communist goal is, this Nation has no choice but to maintain a strong armed force that must be able, as you have so clearly stated, to cope with local aggression and to deter the Communists in their objective of complete world control. We know the Communist objective, and therefore we know what our Armed Forces must be capable of doing.

So I want to congratulate you most heartily for your comment and position on a matter that has bothered me for many years. I am referring to the stability of our Armed Forces. In your statement you have said: "The lack of reasonable stability in our military programs is a most wasteful and expensive practice. We cannot afford to revert to the 'feast or famine' pattern of our past history, not just because of the effect upon our economy, but primarily because we cannot take the military risks involved in such a policy. Development of a sound, long-term security requires that we design our forces so as to assure a steadily increasing efficiency, in step with scientific advances, but characterized by a stability that is not materially disturbed by every propaganda effort of unfriendly nations, or wishful thinking on the part of ourselves or our allies."

You have used the expression "feast or famine"; I have often used the expression "peaks and valleys"; but we are in complete accord on this fundamental philosophy of a proper defense structure. You are to be commended, Mr. Secretary, for setting forth as a national policy, stability in our Armed Forces. From what you have said in your statement, and from what you have said about the Communist objective, it is imperative from here on out that the country and the world know that the floor on the size of our Armed Forces will be 2,850,000 men at an annual cost of approximately \$34 billion. The security of the Nation will not permit us to go below those figures.

You have said that we have a goal of 137 wings for our Air Force; you have said that our Army will be maintained at a floor of 1,027,000 men; you have said that our Marine Corps will have 3 combat-ready divisions, and 3 combat-ready air wings, in a combined Marine Corps strength of not less than

193,000 men. You have said that our Navy will not go below a strength of 664,000 men, operating over 1,000 ships, including 405 warships.

And you have made the most significant statement of all when you stated that you cannot forecast any important reduction in the Military Establishment, nor in the total military expenditures in the Department of Defense below the present levels; on the other hand, neither can you see any need for any important increase short of war. This is the stability that the Nation must have. This will permit planning, orderly procurement, efficient operation, and will give us, as you have stated, a force sufficient to cope with local aggression; a force capable of rapid expansion in time of war, and a force which will, we hope, deter Communist efforts to dominate the world.

Mr. Secretary, to me the stability of force which you are seeking to bring about is the most important single policy that this Nation can adopt with respect to our Armed Forces. The effect of such a policy will let the world know where we stand, and the world will know that for an indefinite period of time, with world conditions as they are, such a force will be maintained.

Mr. Secretary, there are many other parts of your fine statement which are significant and should be reemphasized. For example, you state that "the security of the United States and the security of our allies are in reality one and the same." I find myself in complete accord with that statement. What you have said is that a military aid program for our allies is an aid program for ourselves.

We cannot look upon a military aid program for our allies as something separate and detached from our own national security.

I am glad you have discussed our retaliatory capabilities. The world should know, as you have stated:

"We are prepared to use our total resources in the most effective manner appropriate to the particular situation."

You have indicated that we must be ready to provide timely assistance in certain situations to cope with aggression. The world today is, of course, fully conscious of the situation now prevailing in the Formosan area; but Formosa is simply one more reason why we must maintain a stable, large, rapidly expandable forces for the indefinite future. The Formosa of today may become another place tomorrow. And we must be able to cope with these situations. And we certainly are not going to let a temporary cessation in the Soviet's insatiable drive for further conquest lull us into a dangerous slumber characterized by reduced expenditures for our Armed Forces and a decrease in the size of our Armed Forces. We are embarked upon the ship of stability, irrespective of the weather.

I am glad that you have noted that our carrier striking forces will be augmented by 1 additional carrier, and 1 carrier air group this year. And in that connection I want to say that I am glad to note that the budget contains funds for the construction of a new carrier capable of carrying modern aircraft that can deliver our most modern weapons.

The committee, Mr. Secretary, appreciates your very forthright discussion on the present size of our Armed Forces, their planned strengths for fiscal 1956, and your determination to stabilize these forces.

I appreciate, too, your comment concerning the military structure of the Army. Congress, of course, should not concern itself with military organization as such, so whether you have combat divisions, or regimental combat teams, is a matter for our military leaders to decide, but I am happy to note that this study is being conducted with a view toward proper defense and utilization of combat forces in the face of nuclear weapons.

I think that the country will be reassured with respect to the active aircraft inventory, and I know will be impressed that by June 30, 1956, the combat units of the Air Force will be almost 100 percent jet equipped.

I want to compliment you on your candid summary of the views of the Army, Navy, Air Force, and Marine Corps with respect to the planned military strength for fiscal 1956. You have indicated that the Air Force is happy; the Navy and Marine Corps would like a little less reduction; and the Army is not content with its reduction from 1,300,000 to 1,027,000 men. However, you have stated that you believe the program to be sound.

I am glad to see in your statement that none of the redeployments which have been made should be considered as indicating any lessening of our determination to defend areas where our combat units have been stationed. Your statement justifies these redeployments on the basis of increased strength of our allies, and I think our allies should be greatly strengthened in their confidence with the knowledge that our Armed Forces will stabilize at not less than 2,850,000 men for the indefinite future. They, along with the American people, should rejoice in the knowledge that the days of valleys and peaks, or feast and famine, are over. Their planning can now be coordinated with ours on the basis of stability.

Again, let me congratulate you for coming before this committee and the American people and presenting to all of us your military program, your assurance of stability, and your sound reasoning. This statement should do much to set aside the fears of many people that we were again headed for an era of false economy which inevitably is the forerunner of trouble and costly expenditures in men and money.

I repeat what I said at the beginning, your statement is the most forthright and comprehensive résumé of defense needs that I have been privileged to hear. The Nation is indeed fortunate that the Department of Defense has at its helm a man of your courage and capability.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may need.

Mr. Speaker, as the gentleman from Missouri previously explained, House Resolution 109, from the Committee on Rules, makes in order the consideration of the bill H. R. 2576, a bill by the gentleman from Illinois [Mr. Dawson] to extend the Reorganization Act for a 3-year period. Debate under the rule is limited to 1 hour.

I had introduced a measure similar to the Dawson bill, the only difference being that my bill would have extended the power of the President to send reorganization plans to the Congress to April 1, 1957, or for 2 years, whereas the bill before us would extend it for 3 years, or until April 1, 1958.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman from Ohio introduced a resolution and then the gentleman from Illinois introduced a similar resolution, except that there was a difference of 1 year in the length of the extension.

Mr. BROWN of Ohio. Yes.

Mr. HOFFMAN of Michigan. Can the gentleman conceive any reason for the introduction of the second resolution, except to show that the majority was in favor of the legislation introduced

by the gentleman from Ohio and were supporting the President?

Mr. BROWN of Ohio. I think, of course, the introduction of the bill by the gentleman from Illinois [Mr. Dawson], not only shows that the majority favors the extension of the Reorganization Act and the granting of the powers to the President to send reorganization plans to Congress, but it also, I think, indicates that it is the view of the gentleman from Illinois that there should be a greater length of time provided in which the President can submit these reorganization plans.

This act has been in effect since 1949. Prior to that time, during the Roosevelt administration, powers were granted to the President to submit reorganization plans for their consideration and rejection. As partially explained a few moments ago, under the reorganization act we are just reversing the usual procedure. Usually, legislation is introduced in Congress to change a Government organizational setup and by affirmative vote of both branches of Congress enacted into law and thereby forces that reorganizational change. However, because of the difficulties had in reorganization matters in the past, the Congress has adopted the procedure of giving the President power to submit to the Congress reorganization plans for the consideration of both branches of the Congress with the understanding that unless one branch or the other, by a constitutional majority, should reject the reorganization plan it goes into effect within 60 days after it is filed; so instead of taking affirmative action, the Congress, under this plan, is required to take a negative action.

As many of you here on the floor of the House know, we have in the past debated rather thoroughly the question as to whether or not it should require a constitutional majority or a bare majority of a quorum to reject one of these reorganization plans. The Congress in its wisdom has established the precedent that in order to reject an organization plan, a constitutional majority would be required. Originally, as some of you may recall, I had rather strong and fixed convictions that it should require only a bare majority of a quorum to reject one of these plans; but inasmuch as the precedent has been established, inasmuch as the Congress has passed on this issue before, and we have operated under the system so long, I expect to support the present plan and the present arrangement whereby a constitutional majority would be required to reject a plan.

I think it is very important that we enact this bill into law as promptly as possible, because Congress established the second so-called Hoover Commission, and its recommendations will be presented to the Congress between now and May 31. The Commission will present a number of recommendations as to reorganization plans and other legislative action to bring about greater economy and efficiency in the Federal Government. The Commission will also submit its report to the President of the

United States, and undoubtedly the President will take into consideration the recommendations of the Commission and submit reorganization plans to Congress as his wisdom may dictate. Inasmuch as the Commission's life does not expire until May 31, and many of these recommendations will not be submitted prior to that date, the President will not have a very long period of time in which to consider the recommendations of the Commission, and inasmuch as the Reorganization Act itself would expire on April 1 next it is absolutely necessary that his reorganizational powers be extended through this amendment to the Reorganization Act.

This is a nonpartisan matter. There is no partisanship in it. The bill was unanimously reported by our committee with one Member, I believe, reserving the right to oppose if he so desires on the floor of the House. The resolution from the Rules Committee and the bill itself were reported by the committee unanimously. The measure has the support, insofar as I can ascertain, of the leadership on both sides of the House. It has the support of the President of the United States. I hope that the rule and the bill will be approved by the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman think it wise to apply this negative vote procedure to other legislation coming before the Congress?

Mr. BROWN of Ohio. No; I do not. As I have said, I had my own convictions on the matter of a majority; however, I do feel strongly it is necessary to get many of these reorganization plans before the House. This has been the best method that has been devised throughout the years to bring these matters up. In most instances, certainly, the reorganizational plans have worked very well. I feel this bill should be passed.

Mr. GROSS. Is the gentleman fearful this precedent that is now established will be used by other departments of the Government?

Mr. BROWN of Ohio. No. The Congress has complete control. That is why I think that the authority under the Reorganization Act or the life of it should be limited. That is the reason why in the bill I introduced I fixed the period at 2 years rather than 3 years as provided by this measure; however, I have no great objection to the 3-year period. I accept that as coming from the leadership on the other side of the aisle. I would rather have that than to have nothing because I think we have to put into effect some reorganization plans and we have to give to the President the authority to reshuffle, if you please, in an endeavor to get greater economy and efficiency in some of the agencies of his own branch of Government, providing, of course, the Congress has a veto power.

Mr. GROSS. But we do not have to rely upon a most unusual voting procedure in order to do that?

Mr. BROWN of Ohio. This is not an unusual voting procedure. It has been followed off and on for a great many years. Of course, it is needed at this time because the Congress by its own action has directed a Commission, which is an arm of the Congress, to bring in recommendations as to how the President should reorganize.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Michigan.

Mr. MEADER. Since the gentleman's measure asked for only a 2-year extension and the measure before us asks for 3 years, is it fair, because of the gentleman's position on the Hoover Commission, to infer that the administration was only asking for 2 years?

Mr. BROWN of Ohio. In my discussion with the administration officials and with the White House, the 2-year arrangement was agreed upon, and that was the thought of the Commission, as I recall, and certainly the thought of the President and his advisers.

Mr. MEADER. Is the gentleman able to advise the House as to the time within which the recommendations of the Hoover Commission will be made? My particular interest is whether or not all of the reorganizations can be completed in this session and the next session of the Congress.

Mr. BROWN of Ohio. Well, I am very hopeful, of course, that the Commission can file with the Congress all of its recommendations and reports by May 31, which is the present expiration date of the life of the Commission.

Now, it is entirely possible that if there is any unseemingly delay in the printing of these reports, they might come in a week or so after May 31. These recommendations will be submitted to the President as well as to the Congress. Now the Congress can act directly on these recommendations—and I want you to get this—the Congress can act directly and permanently on these recommendations by passing legislation, or the President can submit reorganization plans based on these recommendations. Either approach can be taken and followed. I doubt very much that either the President or the Congress could give a great deal of attention to the recommendations of the Hoover Commission, or this whole matter of reorganization, between the time the Commission files its reports and the time this session, the first session of the 84th Congress, adjourns sometime next summer, which, I might add, I hope will be early. That means, then, that most of the consideration that will have to be given to these recommendations would come in the second session of the 84th Congress.

Mr. MEADER. Would it be the gentleman's judgment that in the second session of the 84th Congress there would be full and ample opportunity for the Congress and the President to dispose of any recommendations made by the Hoover Commission that were meritorious?

Mr. BROWN of Ohio. Well, I, of course, cannot foresee the future. I do not know what the President may have

on his mind or what problems may confront him in the period to which the gentleman alludes; neither do I know what problems the Congress may have before it or the particular committee which handles the reorganization plans. I feel that if the 2-year period should be voted it would at least give a fair opportunity, and perhaps would speed up the process a bit, to consider the legislation. However, a 2-year period may not be sufficient, and I recall that some of the recommendations of the first Hoover Commission were adopted a year and 2 years and even longer than that after the Commission made its report.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think it is fair to state that the reason for the 3-year extension was that some of us felt that after the 1956 election—projecting our minds ahead; no one can tell what the results will be. Of course, we Democrats are confident that a Democrat will be elected, but nobody can tell. We hope the country will return to normalcy in that respect. But, at any rate, no one can tell—and a new President coming in, if we extend it 2 years it will expire on June 30, 1956, and it was felt that extending it to June 30, 1957, would give an additional year. There was no objection. There was an appreciation of that fact by all members of the committee. With a matter of 5 years or something like that, it may be different, but we felt a 3-year extension would be the proper thing to do under the circumstances. The gentleman remembers that.

Mr. BROWN of Ohio. I agree fully with the gentleman's statement, and I would like to express my own personal opinion. While I thought the 2-year period was the right length of time in which to extend this act, I would rather have 3 years than 1 as an extension. I would rather err on giving too much time than not giving sufficient time.

Mr. McCORMACK. Exactly. Might I also say on the veto power that at one time there was a two-body veto required, you may remember.

Mr. BROWN of Ohio. Yes.

Mr. McCORMACK. While it was a simple majority, nevertheless it required the veto of two bodies. The gentleman will remember the year the constitutional majority was put into the law that we passed a two-body veto.

Mr. BROWN of Ohio. I recall that; very much over my objections.

Mr. McCORMACK. When it went to the Senate it had a one-body veto. Out of the conference there came the constitutional majority. The reason for that was that it was appreciated, based on experience, that a one-body simple majority might defeat, with comparative ease, reorganization plans that were submitted. It was felt that on a reorganization plan there ought to be some reasonable assurances that a clear case had to be made before that reorganization plan was vetoed. That is the reason for the constitutional majority provision.

Mr. BROWN of Ohio. I think the gentleman from Massachusetts [Mr. McCORMACK] will recall that in the debate and the discussion at the time to which he alludes, it was pointed out that for the President to overrule or veto an action of the House there was required a two-thirds vote. It was determined finally in the consultations which took place when the bill was in conference, that it would be only fair to give to the President, the Chief Executive, somewhat the same break that we expected from him on measures that we enacted. In other words, we felt that a constitutional majority to overrule a Presidential action in the reorganization of his own department was not too far out of line and was rather a fair procedure.

Mr. McCORMACK. Yes; the gentleman was a member of that conference, too, as I remember, as I was several years ago, out of which the constitutional majority provision came. But there is a history that justified it and justifies its continuance.

Mr. BROWN of Ohio. The gentleman from Massachusetts [Mr. McCORMACK] has been very, very helpful throughout the years in connection with the various endeavors to reorganize the Government.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HOFFMAN of Michigan. I should like to ask the gentleman from Massachusetts [Mr. McCORMACK] a question. I understood him, in his remarks, to say something to the effect—"when a new President came in." I should like to ask him what he means about a new President coming in. The gentleman wants this power to be continued for 3 years even if the present President remains President?

Mr. McCORMACK. Of course, whoever will be elected in 1956 will start his term in January 1957.

Mr. HOFFMAN of Michigan. Yes; but it would not necessarily be a new man or a new President. It could be the same President.

Mr. McCORMACK. On this side we confidently expect that it will be a new man. But in any event, it will be a new administration; let me put it that way.

Mr. BROWN of Ohio. May I say that when I took the floor I was very hopeful that politics would not enter into this nonpartisan discussion.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. McCORMACK. Of course, this is a most pleasant colloquy. The gentleman knows that we are not injecting politics, because if politics were injected, there is no one better able to defend the Republican position than the gentleman who has the floor, my dear friend, Mr. BROWN of Ohio.

Mr. BROWN of Ohio. I thank the gentleman very much. I should like to advise both the gentleman from Massachusetts [Mr. McCORMACK] and the gentleman from Michigan [Mr. HOFFMAN] that a little later I shall look into my crystal ball and tell the gentlemen exactly what is going to happen politically in 1956.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from North Carolina.

Mr. JONAS. I should like to ask the gentleman if he plans to offer an amendment in the committee to change the termination date to 1957.

Mr. BROWN of Ohio. No, I do not expect to offer that amendment because the committee, of which we are both members, acted on this and unanimously reported the bill. I am going to accept the committee's action.

Mr. JONAS. If the gentleman will yield further, may I just say that it occurs to me that, although it has not been mentioned in the debate here today and it was not alluded to in the discussion in the committee, it is true that we will have not only a presidential election in 1956 but a new Congress will come into being in 1957. By having the termination date 1958 we would, in effect, be taking away from the 85th Congress a right that that Congress ought to have, perhaps, to act on this. Of course, I realize the 85th Congress could repeal the section or change the law, but it occurs to me that there is ample opportunity between January and April 1 of 1957 for the 85th Congress to act on a further extension. It just seems to me it would be more desirable for this Congress to fix the termination date in 1957 instead of 1958.

Mr. BROWN of Ohio. I think the gentleman has made a point. However, if I recall correctly, and I would like to be corrected if I am wrong, at one time we gave the President the right to reorganize for a 5-year period. I have a feeling that regardless of what type of bill is enacted or the length of time fixed, no President is going to abuse this power. I do not believe President Eisenhower, who I certainly hope will be with us not only until 1956 but for a longer period, will abuse it, and I do not think a new President, should one be selected, would take unfair advantage of this legislation.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH], the chairman of the Committee on Rules, and ask unanimous consent that he may speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I have asked for this time in order to speak of a recent action of the Committee on Rules with respect to the general policy with regard to the creation of investigating committees and investigatory powers heretofore given to standing committees. I may state in the beginning that the Committee on Rules on this subject has the support of both the Democrat and Republican leadership of the House, and I am authorized so to state.

There are now 80-some resolutions pending before the Committee on Rules asking for various types of investigations, both for select committees and for general investigatory powers on the part of legislative committees.

We think that in times gone by there have been a good many unnecessary in-

vestigations, a good many that have not produced worthwhile results or any legislation. It is the hope of the leadership that this situation can be corrected. We hope that we will have the cooperation of the House and the various committees of the House in trying to reduce this matter of investigations as much as reasonably can be done.

With that end in view, the committee does not propose to report any rule for an investigation unless a good case is made for it, unless we know just exactly what the jurisdiction of the committee is going to be and unless they can justify it in hearings before the Committee on Rules. The same rule will apply to standing committees of the House. Heretofore, standing committees have come as a matter of course before the Committee on Rules and have obtained general jurisdiction to investigate anything that might fall within the jurisdiction of that particular committee. In many instances, there has been an overlapping jurisdiction and one committee has been investigating something that another committee thought they had jurisdiction over. We expect to ask the committees, both special and legislative, to specify in the resolution which they offer just exactly what they are going to investigate and have the resolution limit the subject of investigations specifically so that the committee and the Congress will know what jurisdiction the committees have. I think the committee will ask for very specific information when a legislative or a special committee asks for powers to conduct an investigation outside of the continental limits of the United States.

It is the expectation of the committee, and the leadership, with the cooperation of the membership that we may thereby very much reduce the necessity of so many legislative investigating committees. Incidentally, it is the expectation, I might say for the information of the membership, that the Committee on Rules will as soon as possible begin discussions on the question of rules for governing investigating committees, which will relieve some of the criticism that has been made in the past on that score.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. BROWN of Ohio. In the absence of our colleague the gentleman from Illinois [Mr. ALLEN] who is the ranking member of the committee, I feel it is my duty and responsibility to say that the minority members of the Committee on Rules agree in full with the statement that has just been made by the chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. I should have stated, and I will now state, that the Committee on Rules is unanimous upon that policy.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. MILLER].

(Mr. MILLER of Nebraska asked and was given permission to speak out of or-

der and to revise and extend his remarks.)

Mr. MILLER of Nebraska. Mr. Speaker, today marks the 75th birthday of Gen. Douglas MacArthur. The city and county of Los Angeles and California, today will honor General MacArthur. Mrs. MacArthur will unveil a monument in MacArthur Park. Proper ceremonies will be held and this evening the general will make an inspirational and stimulating speech.

It is seldom that a man crosses the pages of history and leaves such an impact and indelible mark upon the world as General Douglas MacArthur has left. He has given most of a lifetime to the service of his country. He has a magnetic personality. He is a born leader of men. The general has vision and courage and understands human nature. Many of you will recall that he appeared in the House on April 19, 1951, on his return from Korea. The ending of his speech contained these words: "Old soldiers never die—they just fade away." It seemed appropriate at that time, but General MacArthur has not faded away. He is now engaged in a successful business enterprise. The general, on his 75th birthday, still has a keen mind and insight into the affairs of the world. He has been a great soldier, a diplomat, a statesman, and a fine Christian gentleman.

I know that my colleagues in the House and the general's friends all over the United States and the world will join with me in wishing Gen. Douglas MacArthur many, many happy returns of the day.

Mr. BOLLING. Mr. Speaker, I have no further requests for time, and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MILLS). The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. DAWSON of Illinois. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

And pending that, Mr. Speaker, I ask unanimous consent that all Members who speak in Committee may have permission to revise and extend their remarks and include certain extraneous matters.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The question is on the motion by the gentleman from Illinois [Mr. DAWSON].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2576, with Mr. HARRIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois [Mr. Dawson] will be recognized for 30 minutes; the gentleman from Michigan [Mr. Hoffman] will be recognized for 30 minutes.

The gentleman from Illinois is recognized.

Mr. DAWSON of Illinois. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, it is with pardonable pride that I rise at this time to carry out the task conferred upon me by the Committee on Government Operations to present to you for your consideration the bill H. R. 2576, which is to extend the terms of the Reorganization Act of 1949.

The Reorganization Act of 1949 had its inception in the Committee on Government Operations. As I look back to the committee, which in those days passed that act, I am filled with pride because to my mind it was one of the hardest working committees ever set up by the Congress. It was a committee composed of many men who had distinguished themselves in the Congress. We had as a member of that committee the majority leader the gentleman from Massachusetts [Mr. McCormack]. We had the able and distinguished gentleman from Michigan [Mr. Hoffman]. As a member of that committee was the minority whip the gentleman from Indiana [Mr. Halleck], and the gentleman from Ohio [Mr. Brown]. We had as members of that committee two members of the Hoover Commission, the gentleman from Ohio [Mr. Brown], and the gentleman from California [Mr. Hollifield]. Also, as a member of that committee, was the gentleman from Virginia [Mr. Hardy], who is now again a member of this committee.

We have been very proud of this legislation, because under this legislation was accomplished more reorganization of executive departments than had been accomplished in all the years of the organization of this Government theretofore.

We are here before you now at the request of the President of the United States, and upon the recommendation of the now existing Hoover Commission, a body appointed by this Congress, asking for an extension.

In compliance with the usual custom of our committee we asked the opinion of the Bureau of the Budget, along with other agencies of government. From the Bureau of the Budget I received this answer, from which I quote:

This is in reply to your 2 letters, 1 dated January 21, 1955, requesting reports and comments on H. R. 2576, a bill "to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958"; and the other dated January 24, 1955, relating to H. R. 2563—

The bill introduced by Mr. Brown of Ohio—

a bill "to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957."

The letter then goes on to state matters concerning the Reorganization Act and then refers to the President's message in these words:

The President, in his annual message to the Congress on January 6, recommended extension of this act. He stated:

"Every citizen rightly expects efficient and economical administration of these many Government programs I have outlined today. I strongly recommend extension of the Reorganization Act * * * which expire(s) this spring. Thus, the Congress will assure continuation of the excellent progress recently made in improving Government organization and administration."

He also included a quotation from the existing Hoover Commission report, as follows:

As a result of the unanimous vote at its meeting held on November 15, 1954, the Commission recommends to the Congress that the authority of the President to file reorganization plans, which expires on April 1, 1955, be extended.

In referring to both bills—and I want my distinguished friend, the gentleman from Ohio, to note this—the Bureau of the Budget says:

H. R. 2563 would authorize extension of the act until April 1, 1957; H. R. 2576 would authorize its continuation until April 1, 1958. Enactment of either of these bills would accomplish the President's objective of extending the Reorganization Act. I am authorized to state that he would be satisfied if the extension of the act were for a period of 2 years as provided in H. R. 2563; however, should the Congress enact a measure extending it for a longer period, such as the 3-year extension in H. R. 2576, he would be happy to favor such a measure.

That, I think, takes care of the request for the 2-year extension. You and I can well see how an existing President would not ask for an extension beyond his present term of office, but you and I can also understand how an existing President would extend to whomever was his successor, whether it should be himself or another, a measure which he had found to be a good thing in his administration; he certainly would give to a succeeding President an opportunity to study this inherited executive setup and then to take advantage of studies that had been made by means of this legislation.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Illinois. I yield.

Mr. HOFFMAN of Michigan. What the gentleman has just said is overwhelming evidence that the President wants to go along with the majority, is it not?

Mr. DAWSON of Illinois. It is overwhelming evidence that the President from his experience has found this Reorganization Act a good thing to help him reorganize our vast executive establishment; and whether he is the next President or not, he is happy to say to us that he favors extending such a measure until 1958.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. DAWSON of Illinois. I yield.

Mr. HOFFMAN of Michigan. Was the gentleman of that same mind on this during the last 2 years?

Mr. DAWSON of Illinois. Is the gentleman referring to the President? Evidently he is.

Mr. HOFFMAN of Michigan. No. I am referring to reorganization legislation.

Mr. DAWSON of Illinois. I am stating the wishes of the President. As author of the Reorganization Act of 1949, when I have seen the extent of reorganization that has taken place since then by more than one President, I am happy at this time to join with the President of the United States and with the vast majority of the members of our Government Operations Committee in asking the Congress at this time to extend this to 1958.

Mr. HOFFMAN of Michigan. My question is whether during the last 2 years the gentleman has been of the opinion that under this legislation we were getting good plans coming up from the President?

Mr. DAWSON of Illinois. Far be it from me to criticize my President.

Mr. HOFFMAN of Michigan. I am not talking about the President. I am talking about legislation. I know the gentleman is happy about the President.

Mr. DAWSON of Illinois. I am sure that he who controls the minority, if he has any quarrel or fight with the reorganization plans set up by the President, will, during his own time, find fault therewith. Far be it from me in the use of time allotted to me to find fault with our President.

Mr. HOFFMAN of Michigan. I am asking the gentleman as to what his attitude has been in the last 2 years.

Mr. DAWSON of Illinois. My attitude and my duty is to carry out the wishes of my committee—to ask the Congress to extend this Reorganization Act until 1958.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Illinois. I yield to the gentleman from Virginia.

Mr. HARDY. I think the present chairman of the committee would have to take the position that most of us do; that is, as each individual reorganization plan is submitted we reserve the right to act on it as we see fit. That is our responsibility. That is what I shall do when the others come up, if this act is extended.

Mr. DAWSON of Illinois. There has been some question as to whether we should have a constitutional majority or whether we should have a simple majority. They tell me that the best proof of the pie is in the eating of it. We have had this act since 1949. More reorganization plans have been passed under this act than during all of the years theretofore that this country has been free and independent. Consequently, it has worked, it has enabled the Chief Executive to assume a responsibility, and it also gives to the Congress a power to protect itself if it is not satisfied with the President's plan. Any Congressman within 60 days after the submission of a plan may file an objection to that plan. The Congress then must consider that objection and must act thereon. So the Congress is protected.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield myself 13 minutes.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, there is nothing new about this legislation.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Missouri.

Mr. KARSTEN. Then this is not a part of a bold, new, dynamic program?

Mr. HOFFMAN of Michigan. No, I would not call it dynamic. I would call it, rather, destructive of constitutional procedure, that is all.

BILL AUTHORIZING SUBMISSION OF REORGANIZATION PLANS

The bill before us, H. R. 2576, is an amendment to Public Law 109, 81st Congress, which is known and cited as the Reorganization Act of 1949. The sole purpose of the amendment is to extend the provisions of the act—which would expire on April 1, 1955—to April 1, 1958.

Experience has demonstrated that, to promote the welfare of its people, to provide for the national security, those who wrote the Constitution and the Bill of Rights provided the best form of government yet devised.

Our present position among the nations of the world demonstrates the truth of that assertion. But no form of government provides a check to either misinterpretation or maladministration, nor for that matter a safeguard against greed or corruption.

Alexander Hamilton, the first Secretary of the Treasury, as long ago as 1795, declared that the Treasury Department should be reorganized.

In 1888, Senator Francis M. Cockrell and Representative Alexander M. Dockery, both from Missouri, headed a special legislative subcommittees whose objective was the reorganization of the executive branch of the Government.

Later, Senator Smoot, of Utah, headed a legislative committee on which served two very able, capable Members of the House—one from the Fifth Congressional District of Michigan, the Honorable Carl Mapes, another from New York, James Wadsworth. The committee made a most exhaustive study of the executive departments.

A former colleague from Missouri, Mr. Cochran, in the debate on the floor—CONGRESSIONAL RECORD, volume 84, part 2, 76th Congress, 1st session, March 6, 1939, page 2305—gave some of the reasons for the enactment of this type of legislation.

The Congress has on several occasions adopted legislation in an attempt to bring about a desirable situation which we all hope will give us increased efficiency and economy in the Federal Government.

The Reorganization Act of 1932, so-called, was title IV of the Legislative Appropriation Act of 1932, and was adopted on May 3, 1932—Forty-seventh Statutes at Large, page 413, section 407.

Mr. Hoover, then President, sent down various recommendations, but on January 19, 1933, the House voted on a resolution which prevented the adoption of

those recommendations from taking effect.

We had a Reorganization Act in 1939—Fifty-third Statutes at Large, page 561, section 5. We had another one in 1945—Fifty-ninth Statutes at Large, page 613. We had still another in 1949—Sixty-third Statutes at Large, page 203. That act was extended on February 11, 1953. It is the Reorganization Act of 1949, as amended, which is now before us for a further extension of the authority granted the President.

REASON FOR THE LEGISLATION

The reason—or, more accurately, the excuse—given for the attempt to grant this legislative authority to the President is, and so far as I know always has been, the statement—and I think that statement is true—that our Government has grown so large, its activities cover so many fields, that the Congress has never given the people that degree of efficiency and economy to which they are entitled and which prevail in privately owned and operated corporations.

And the reason—or, again, more accurately, the excuse—for that failure is either the lack of ability or determination on the part of the Congress, as well as the failure of the executive branch of the Government, to efficiently perform their respective functions.

What we do in these Reorganization Acts is merely to shift from our own shoulders a part of our duty and obligation to our constituents, to the already overburdened shoulders of the executive departments.

We also by this action open ever wider the door for the executive departments to build up centrally controlled bureaucracy in every department.

NONPOLITICAL

The drive for this legislation should be nonpolitical. There has been a great deal of inconsistency in the attitude of members of both parties when this type of legislation was before the House.¹

¹ Reorganization Act of 1932, (title IV of Legislative Appropriation Act):

Motion to recommit—yeas 146; nays 250; not voting 35. (CONGRESSIONAL RECORD, vol. 75, pt. 9, pp. 9518-9519, 72d Cong., 1st sess.)

On passage of bill—yeas 316; nays 67; not voting 48 (id., pp. 9519-9520.)

Reorganization Act of 1939:

Adopted by 246 to 153. (CONGRESSIONAL RECORD, 76th Cong., 1st sess., 34 not voting, vol. 84, pt. 3, p. 2504; (mostly Republicans opposing.)

(In 1939, the Sumners amendment provided for the rejection of a plan by one House. The vote was 193 (mostly Republicans) to 209, with 32 not voting (id., p. 2502).)

Mr. TABER offered an amendment which provided that a plan should not become effective until the adoption of a joint resolution approving the plan. On that vote, there were 163 affirmative votes (again mostly Republicans), 236 in opposition, with 34 not voting (id., p. 2504).

Reorganization Act of 1945:

On motion to recommit, with instructions to accept amendment which would permit one House to reject reorganization plan—yeas 168; nays 192; not voting 71. (CONGRESSIONAL RECORD, 79th Cong., 1st sess., vol. 91, pt. 7, p. 9453.)

On final passage—yeas 305; nays 56; not voting 70 (id., p. 9454).

REORGANIZATION LEGISLATION

Among other provisions, section 3 of the act provides:

SEC. 3. Whenever the President, after investigation, finds that—

(1) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency; or

(2) the abolition of all or any part of the functions of any agency; or

(3) the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof; or

(4) the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof; or

(5) the authorization of any officer to delegate any of his functions; or

(6) the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of the reorganization plan will not have any functions, is necessary to accomplish one or more of the purposes of section 2 (a), he shall prepare a reorganization plan for the making of the reorganizations as to which he has made findings and which he includes in the plan, and transmit such plan (bearing an identifying number) to the Congress, together with a declaration that, with respect to each reorganization included in the plan, he has found that such reorganization is necessary to accomplish one or more of the purposes of section 2 (a). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session. The President, in his message transmitting a reorganization plan, shall specify with respect to each abolition of a function included in the plan the statutory authority for the exercise of such function, and shall specify the reduction of expenditures (itemized so far as practicable) which it is probable will be brought about by the taking effect of the reorganizations included in the plan.

Inasmuch as we all know that there is a great deal of inefficiency and of waste in the executive departments, and there is much of both in the legislative departments, you may wonder why I am opposed to the enactment of the amendment to this bill.

We are aware that in more recent years there has been a steady and altogether too successful drive to disregard Constitutional provisions.

Freely will I admit that the Constitution does not carry the authority inherent in the Ten Commandments. Freely will I admit that conditions today are far different than those which confronted those who wrote the Constitution and the Bill of Rights.

Equally true is it that we of today never were forced to endure the abuse and persecution which caused them to forsake the mother country to attempt to establish here a free, independent and enduring Republic.

There are, moreover, certain fundamental laws of nature, certain principles, which despite the passing of the years or even of the centuries do not change.

Reorganization Act of 1949:

Motion to recommit, lost; no record vote. Final passage—yeas 358; nays 9; not voting 66. (CONGRESSIONAL RECORD, 81st Cong., 1st sess., vol. 95, pt. 1, p. 923.)

As just stated, we now have, in spite of our indifference, the best form of government yet devised. Yet there are many among us who thoughtlessly would little by little disregard the principles laid down in the Constitution and the Bill of Rights. The Constitution leaves no doubt as to the line of demarkation between executive and legislative power.

The continued welfare of our people, the existence and the security of our Nation, rests upon the principle that the judicial, the legislative, and the executive departments of the Government must be kept separate, apart from and independent each of the other.

That those who wrote the Constitution so intended is made clear when we read that document.

The first 15 words of article I, section 1, are these:

Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The manner in which proposals become law is set forth in section 7 of article I. I quote:

Article I, section 7:

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States. If he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House, respectively. If any bill shall not be returned by the President within 10 days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevents its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

A further grant of power is carried in paragraph 14 of section 8 of article I, which gives the Congress the power "to make rules for the Government and regulation of the land and naval forces."

THE PRESIDENT'S FUNCTIONS

The enumeration of the powers of the President and of the executive departments are carried in article II of the Constitution. Nowhere in the enumeration of those powers is there even a hint that the President shall have any authority to initiate or participate in the enactment of legislation except that he may veto proposed legislation. But even his veto may be vetoed or overridden by a two-thirds majority of the Congress.

The above statement is, of course, qualified by section 3 of article II, which, referring to the President, states:

He shall, from time to time, give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall deem necessary and expedient.

He is also given authority on extraordinary occasions to convene the Congress, and, in the event that the two Houses cannot agree as to the time of adjournment, he may adjourn them subject to call.

In my judgment, because this Congress has demonstrated time and again, no later than yesterday, that it has the utmost confidence in the President, I am unable to find any reason why we should now continue a clearly unconstitutional method of legislating.

Is it not certain that the so-called opposition party, which controls the House and the Senate, will quickly enact any sound, recommended legislation which the President or one of the executive departments may send up to us in the form of a bill? Waste and inefficiency in the executive departments can be minimized by executive supervision.

If that, in the judgment of the President, is not sufficient to bring about the desired end, then his suggestion in the form of a bill to be considered by the proper standing committee will, if it has merit, undoubtedly be enacted without undue delay. The proposed procedure which the House has, as has been indicated, adopted on several occasions, is wholly unnecessary.

As stated, under the Constitution, the Congress is charged with enacting legislation and the President is given the power, under certain circumstances to veto that legislation.

This proposed procedure reverses the process and gives to a President legislative authority nowhere found in the Constitution.

It permits the President to enact legislation unless his plan is, within a stated time, vetoed by a majority of the elected Members of either House.

The only effective argument which was used in obtaining the continuation of this legislation in 1953 that I heard was that like power had been given to President Roosevelt and to President Truman, therefore it should not be denied President Eisenhower.

With equal truth might it be said that the existence of this act and its extension is a reflection upon the Congress of the United States because, unless we grant this power to the President, he will not be able to obtain proper legislation.

As the result of the Hoover Commission's recommendations, a representative of the Citizens Committee for the Hoover Report, in 1949 sent up 11 bills, all of which I introduced.

In 1951, it sent up 18 bills, all of which were introduced by me.

The substance of all those which were acceptable to the Congress was enacted into legislation.

I realize that there will be a practically unanimous adoption of this amendment, but I would fail in my duty to my

people, did I not again call attention to the fact that, by enacting this bill, the Congress is shirking its duty, laying additional burdens upon the executive departments, and opening the door to unconstitutional legislative procedure.

On January 30, 1953, in a minority report from the Committee on Government Operations, my views were expressed in the following language:

OBJECTIONS TO ENACTMENT OF H. R. 1979, A BILL TO GRANT LEGISLATIVE POWER TO A PRESIDENT

Despite my confidence in the President, the imperative need for economy and efficiency in the executive department, I cannot support this bill because—

1. The bill proposes an unconstitutional grant of legislative power;

2. A grant of legislative power to a President to reorganize executive departments does not insure either economy or efficiency;

3. Conferring legislative power upon a President to reorganize the executive departments is unnecessary: (a) Because a President now has the authority to appoint the heads of the executive departments and to force them to adopt practices which will bring about both economy and efficiency of administrative functions; and (b) because a willing Congress, knowing the urgent need for both economy and efficiency in the operation of the executive departments, will enact any and all necessary constructive legislation which he may send to it by either bill or resolution; (c) because we now have a President who has the administrative ability, the courage, the desire, and the determination to, by Executive order or the approval of bills or recommendations submitted to Congress, "clean up the mess" which was so large a factor in his election.

In the "clean-up task" confronting him, the President deserves the cooperation of Congress and will get it from Republicans and those Democrats who, like Senator BYRD and others, believe that economy and efficiency should be among the first objectives of public officials.

It is my purpose to give the President all help which can properly be given him within the framework of the Constitution.

A considerable portion of the membership of the House opposed the Reorganization Act of 1949 and earlier similar legislation because they believed that the then pending bills were a grant of legislative power to the Executive.

To the extent that our position may have reflected a lack of confidence in past administrations, the position can now properly be changed as an aspect of our cooperation with the new administration and the confidence which we have in it.

But, to the extent that our objection has been based on constitutional grounds, we are still bound by the objection. Certainly, our President would not want us, in our efforts to cooperate with him, to transgress the Constitution.

1. THE BILL PROPOSES AN UNCONSTITUTIONAL GRANT OF LEGISLATIVE POWER

Primarily, the objections to the Reorganization Act of 1949—as to prior acts—were based on its unconstitutionality. In the past few weeks those objections have been very carefully reviewed and considered in the hope that the conclusion that the act is constitutional might be reached.

Unfortunately, the act, in principle, if not in degree, seems to be just as violently in contravention of the basic law as it was in 1949. Having that opinion, I cannot, in conscience, support this bill to extend the Reorganization Act.

Hence, the fair and honest course is to present the reasons why the act seems so clearly unconstitutional, so that an opportunity may be presented to those who feel

otherwise to meet the objections, if the objections can be met.

These reasons which have caused many of us to take a recorded position that the Reorganization Act is unconstitutional have been argued before on the floor of the House.

Likewise, the matter has been discussed on the executive side. The last Republican Attorney General of the United States before this administration, Mr. William D. Mitchell, found a similar act to be in contravention of our fundamental law (37 Op. A. G. 56, 63-64). In view of this opinion of the last Republican Attorney General, Senator McCLELLAN, on February 28, 1949, requested New Deal Attorney General Tom Clark for his opinion. In lieu of an opinion, a memorandum was received from Tom Clark's assistant, which stated in part that Mr. Mitchell's opinion was "based upon an unsound premise."

The duty of Congress to determine constitutionality

The burden of upholding and defending the Constitution rests just as squarely on the Congress as it does on the Supreme Court.

If we, as Members of Congress, reach the conclusion that proposed legislation would transgress the Constitution, we cannot enact that legislation without violating our oaths of office, even though we believe the Supreme Court might hold the legislation to be valid.

We should not, we cannot—in the first instance, at least—avoid that duty by attempting to shift the responsibility to the Supreme Court. Particularly, when the issue is to delegate the legislative power of the Congress, do we have a responsibility at least equal to that of the Supreme Court to first pass on the matter of constitutionality, for otherwise the indispensable system of checks and balances would be in danger. And, in a case such as this, where not only does the constitutional issue relate to the power of Congress but is presented in legislation that, because of its nature, may never be reviewed by the Supreme Court, would, because of a Presidential veto, be difficult to recapture, our duty to inquire into the constitutional issue is sharp, clear, and inescapable.

So far as I have been able to learn, none of those who favor permanent legislation granting the proposed power to the President have given expression to the truth that, once adopted, the power granted cannot be re-taken unless with the consent of the President and a majority vote of both Houses. And, should a President oppose the abolition of the power proposed to be granted, it can only be taken from him by an affirmative vote of two-thirds of the Members of both Houses.

So, while the opinions of the Supreme Court on the matter should be accorded great weight and respect in determining whether this legislation is compatible with our basic law, we must, nevertheless, follow our own conclusions.

A comparison of the provisions of the reorganization act with our Constitution

Most schoolchildren know that we get our laws by the concurrent action of the Houses of Congress, followed by the approval of the President or the overriding of the President's veto by a two-thirds vote of each House.

The reorganization act tries to prescribe another method for making laws.

Section 1 of article I of the Constitution of the United States reads: "All legislative power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The Reorganization Act vests in the President the power to originate a "reorganization plan" which, unless rejected by a House of Congress, becomes the law of the land.

Section 7 of article I of the Constitution of the United States reads in part:

"Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

The Reorganization Act provides that the plans originated by the President shall be filed with each House of Congress and, unless rejected by the affirmative vote of more than half the authorized membership of either House, shall become law. Under the proposed amendment, a plan would become law if not rejected by a majority of either House.

The constitutional powers of Congress are specified in section 8 of article I. (See also sec. 3 of art. III, secs. 1 and 3 of art. IV, and art. V.) The last clause of section 8 of article I reads: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

The Reorganization Act attempts to place in the Executive the power and authority not only to abolish agencies, except departments, but even to abolish any function of the Government, except that he must leave each department with one function.

The first sentence of section 1 of article II of the Constitution is "the Executive power shall be vested in a President of the United States of America."

The Reorganization Act makes it possible for either House of Congress to veto a Presidential reorganization.

The constitutional issue: Having in mind these provisions of our Constitution, Attorney General Mitchell (37 Op. A. G. 56, 63) analyzed the constitutional question presented to him on the basis that, unless the function were Executive, the delegation would be unconstitutional, and if the function were Executive, the setting up of a method whereby one House of Congress could disapprove Executive action violated article II, section 1. With all due respect for the statement of Tom Clark (then Mr. Truman's Attorney General) that Attorney General Mitchell based his opinion on an "unsound premise," Mr. Mitchell's analysis seems determinative to me.

The delegation itself:

The Constitution is violated when Congress attempts to transfer legislative powers to the President (*Schechter Poultry Corp. v. U. S.* (295 U. S. 495); *Panama Refining Co. v. Ryan* (293 U. S. 388); *Yakus v. U. S.* (321 U. S. 414)).

The Supreme Court distinguishes an unconstitutional delegation of legislative power by Congress from "a mere exercise (by the Executive) of administrative discretion under valid legislative authority (*Lichter v. U. S.* (334 U. S. 742, 775))."

Generally, Supreme Court cases discuss whether Congress has sufficiently laid down "its policies and standards in order that the administrative authority granted may not be an unconstitutional delegation of its own legislative power," acknowledging that this test is a matter of degree "not capable of precise definition" (id. at 779).

The draftsmen of the Reorganization Act of 1949 made a studious effort to comply superficially with these tests of constitutionality. (See secs. 2 and 3 of the act.) But no amount of careful draftsmanship can conceal the basic difficulty presented by the very scope of the delegation in the Reorganization Act.

The reorganization acts have become broader in scope since 1939. The Reorganization Act of 1939 exempted 21 agencies; that of 1945 exempted 6 agencies; the present

act does not exempt any agency, covers the whole Government.

In 1949 when the bill was before the House, it adopted an amendment providing that—

"Sec. 5. (a) No reorganization plan shall provide for and no reorganization under this act shall have the effect of—

"(1) abolishing or transferring an executive department or all the functions thereof, establishing any new executive department, designating any agency as 'Department' or its head as 'Secretary,' or consolidating any two or more executive departments or all the functions thereof;"

And it exempted from the operation of the bill four boards: National Military Establishment, Board of Governors of the Federal Reserve System, Interstate Commerce Commission, Securities and Exchange Commission, as well as an amendment covering the Railroad Retirement Board, National Mediation Board, and National Railroad Adjustment Board.

However, these amendments were all stricken by the conferees and the bill as written contained no exemptions whatever, except that the final enactment contains limitations to prevent the abolition or consolidation of departments or all the functions of a department.

One serious constitutional objection is met by the committee amendment. The un-amended act requires that a majority of the authorized membership of each House is necessary to reject a reorganization plan. The amendment restores the historic constitutional test for effective action of the Houses of Congress.

Those who feel that 218 affirmative votes (a majority of the authorized membership) should be necessary for effective legislative action in the House, or 49 affirmative votes in the Senate, should address themselves to a constitutional amendment.

To call such a requirement a "constitutional majority" is a farce. It is an innovation of the New Deal, repugnant to and designed to frustrate the Constitution.

No such test for legislative action is recognized by the Constitution. None can be imposed by legislation short of an amendment to the Constitution.

Figures which show the number of recommendations of the past two administrations that were turned down are irrelevant. Congress now has faith and confidence in our President. President Eisenhower does not need unconstitutional devices.

The present bill does not carry any exemptions but provides that the President be given authority to write legislation, subject only to a veto by one branch of Congress.

However, it is my understanding that an amendment will be offered either by Mr. SHORT or Mr. VINSON, both of the Committee on Armed Services, reading in substance as follows:

"Subsection (a) of section 5 of such act is amended by adding at the end thereof the following:

"(7) abolishing, reassigning, transferring, or consolidating the combatant functions assigned to any of the military services by the National Security Act of 1947, as amended."

Except for its immediate predecessors, I know of no attempted delegation by Congress in any way comparable in breadth with the authority attempted to be delegated in the Reorganization Act of 1949.

Under that act, any function of any agency can be abolished by the Executive.

All veterans' benefits can be invalidated by a ukase. The FBI could be put out of business.

There is hardly an activity of the Government that the President could not eliminate, except that he must leave the 9 major departments with at least 1 function each.

That act tries to give away the power and duty of Congress to make laws regarding the

Government of the United States. It is silly to compare that kind of a delegation with the Renegotiation Act, or any other type of statute.

The standards and limitations set forth in the Reorganization Act would be adequate for a delegation of power to reorganize the Fish and Wildlife Service; possibly they would be adequate for a delegation of power to reorganize or even abolish the Department of Commerce, though that I doubt. But, a delegation of the scope of the Reorganization Act of 1949, cannot be validated by a legislative preface of generalities as to permissible aims. (See *A. L. A. Schechter Poultry Corp. v. U. S.*, *supra*, and compare *Fahey v. Mallonee* (332 U. S. 245), in which the Court slides over the practical absence of standards because it is dealing with a narrow and customary field of delegation.)

We have confidence in the President of the United States. He now has the power to, and I believe he will, clean up the mess in the executive department. But we have a government of laws. A decision that this act is constitutional cannot rest in the fact, which I proclaim, that we have a good and competent President. And there is nothing else on which it can rest.

Carved into stone over the door of the Supreme Court is the legend "Equal Justice Under Law." That is the foundation upon which our Government rests. Constitutional government is the basic reason we here have a greater degree of freedom, prosperity, and security than in any other country. The constitutional system of checks and balances, which has served us individually and as a Nation so well, will ultimately be destroyed if, little by little, first one constitutional provision and then another is either ignored or overridden. That we are on the way toward dictatorship is shown by the willingness of the Congress to surrender the legislative authority granted to it by the Constitution.

2. A GRANT OF LEGISLATIVE POWER TO A PRESIDENT TO REORGANIZE EXECUTIVE DEPARTMENTS DOES NOT INSURE EITHER ECONOMY OR EFFICIENCY

A brief summary of efforts to reorganize the executive branch of the Government

Because of the very nature of the Government, reorganizations probably date back almost to the time the Government started.

There have been numerous later efforts to bring about some improvement in the organization of the executive department. The Cochrell committee reported its findings on March 8, 1888.¹ The Dockery-Cochrell Commission was established in 1893.² Both were legislative creations, but the Keep committee was established by President Theodore Roosevelt in 1905, and functioned until 1909.

In 1910, Congress appropriated \$100,000, and in the following 3 years an additional \$160,000, which provided for the establishment and operation of the President's Commission on Economy and Efficiency. Although the Commission made numerous recommendations, no legislative action was taken.

The Division of Efficiency, created in 1913, was later given reorganization functions, and the President was authorized to abolish duplications of service which it found to exist.

Vast war reorganization power, during World War I, was given President Wilson by the Overman Act.

After the war, the Budget and Accounting Act of 1921 created the Bureau of the Budget

and established the General Accounting Office as an independent agency.

In the 66th Congress, in 1919, a Joint Committee on Reorganization of the Administrative Branch of the Government was established.

In 1921 the President was authorized to appoint a representative to cooperate with this committee. Among the recommendations of the committee in 1924 were: (1) the coordination of the Military and Naval Establishments under a single Cabinet officer, as the Department of National Defense—a proposal which was adopted some 25 years later; (2) transfer of all nonmilitary functions from the War and Navy Departments to civilian departments—chiefly Interior and Commerce; (3) elimination of all non-fiscal functions from the Treasury Department; (4) establishment of a new Department of Education and Welfare; (5) change the name of the Post Office Department to Department of Communications; and, (6) the attachment to the several departments of all independent establishments except those which perform quasi-judicial functions or act as service agencies for all departments.

There was some coordination of units of the Veterans' Administration by President Hoover under act of July 3, 1930.

Authority very similar to that contained in the Reorganization Act of 1949, if committee amendments are adopted, but not as complete, was contained in the Legislative Appropriations Act of 1933.

No plans proposed by President Hoover under this authority became law, and Attorney General Mitchell found the act, so far as it attempted to provide for reorganization, to be unconstitutional (37 Op. A. G., 56, 63).

The Treasury and Post Office Appropriations Act for 1934 gave President Roosevelt power to issue Executive orders subject to congressional disapproval within 60 days for the purpose of governmental reorganization. The President submitted six Executive orders during 1933 and 1934 in accordance with this grant of power. All the orders became effective, and are known as the first Roosevelt reorganization plan.

On February 25, 1936, the Senate passed a resolution establishing the Select Committee to Investigate the Executive Agencies of the Government. Composed of five members, headed by Senator HARRY F. BYRD, the committee was appointed by the President of the Senate and drew its funds from the contingent funds of the Senate. The committee was responsible for a series of 14 reports prepared by the Brookings Institution and published as Senate committee prints.

In March 1936, President Roosevelt advised the Congress that he was going to appoint a committee to formulate a plan for the reorganization of the executive branch of the Government and asked the cooperation of the Senate select committee in that project. The President then appointed Louis Brownlow, Charles E. Merriam (who died in January 1953), and Luther Gulick as the President's Committee on Administrative Management. The Committee submitted its report in 1937 with the following main recommendations: (1) expansion of the White House staff; (2) strengthening and developing the managerial agencies of the Government, such as those dealing with the budget and personnel; (3) extension of the merit system; (4) grouping of independent agencies and units in 12 major executive departments; and, (5) establishment of accountability of the Executive to the Congress by providing an independent post audit of all fiscal transactions.

The Reorganization Act of April 3, 1939 (Public Law 19, 76th Cong., 1st sess., 53 Stat. 561), gave President Roosevelt power to reorganize through the device of reorganization plans which were to be submitted to

the Congress. Disapproval by both Houses within 60 days was required to defeat plans and a time limit for submission of plans (January 21, 1941) was included. Under the authority given him, the President submitted five extensive plans of reorganization, all of which were approved.

The next major action relative to reorganization came in 1945, although the President had been given wartime powers of great scope. The Reorganization Act of 1945 (Public Law 263, 79th Cong., 1st sess., 59 Stat. 613), gave the President authority again to submit reorganization plans subject to the disapproval of both Houses of Congress. Seven plans were submitted under the authority of this act; two were rejected by both Houses; two were disapproved by one House but went into effect; and three were approved without serious objection.

In July 1947, Congress established the Commission on Organization of the Executive Branch of the Government, better known as the Hoover Commission. After 2 years of extensive study and the expenditure of a little less than \$2 million, the Commission in 1949 issued a series of reports on various phases or units of the Federal Government. Nineteen reports were submitted to Congress along with accompanying task force reports and other supporting data. It has been estimated that over half of the recommendations of the Hoover Commission have been adopted. The Congress might well adopt the remaining Hoover Commission's recommendations before it seeks others.

In 1949, Congress passed the present Reorganization Act authorizing the President to submit reorganization plans. This time, however, the disapproval of a constitutional majority of only one House of Congress was sufficient to reject a plan. So far, 41 reorganization plans have been submitted under this authority; 29 have gone into effect; 11 were rejected by Congress; and 1 was superseded by law. The authority granted by the Reorganization Act of 1949 would expire, except for the now-proposed amendment, on April 1, 1953.

If the committee amendments are adopted, in addition to the extension of time, the Reorganization Act of 1949 will be changed in the further respect that a majority of the authorized membership of the House or Senate, as the case may be, will no longer be necessary for effective rejection, but only a majority of those voting.

More recently, the Veterans' Administration employed Booz, Allen & Hamilton, a private organization, at a cost of \$605,000, to make a management survey. In April 1952, these results and recommendations of the Booz study were furnished the Administrator. It is a weighty survey, in fact, it weighs 34 pounds in 10 volumes, pages, 8 by 11.

However, in November 1952, the Administrator apparently discarded the plan, announced his own plan for reorganizing the Veterans' Administration. Possibly as a result of eyebrow lifting at the casual treatment he gave the 34-pound, \$605,000 Booz reorganization survey and recommendations, the Veterans' Administrator came out 2 weeks ago with an explanation that looks like three volumes of *Fortune* magazine bound together with a fancy black binder.

There are over 40 beautiful charts in the explanation. The 10-volume, 34-pound, \$605,000 Booz reorganization study, together with such diverse proposals as resolutions of conventions and the Hoover Commission, is disposed of in a section titled "Various Suggestions Which Have Been Made Aimed at Improving an Organization." The clear implication is that political pressure was so great that the Booz reorganization could not be adopted.

That section is an eloquent answer to those who contend that the executive depart-

¹ Report of the select committee of the U. S. Senate, March 8, 1888. 3 vols. in 2 (S. Rept. No. 597 50th Cong., 1st sess.).

² References to Laws Organizing Executive Departments and Other Government Establishments at the National Capitol (H. Repts. Nos. 41 and 49, 53d Cong., 1st sess.).

ment should take over the power of Congress to legislate.

Another Commission on Reorganization
Temple University Survey of Federal Reorganization

Under the personal direction of its president, Robert L. Johnson, former chairman of the Citizens Committee for the Hoover Report, Temple University, is now making a survey.

In November, last, then President-elect Eisenhower wrote Dr. Johnson, as follows:

DEAR DR. JOHNSON: Thank you for your letter of November 14, in which you advise me of the nonpartisan review and study of Government reorganization which has been undertaken by Temple University. It is my understanding that this will integrate and bring up to date existing studies and recommendations, including the report of the Hoover Commission. This undertaking is most timely and should be very helpful to the prospective members of the new administration.

I am appointing a committee composed of Nelson A. Rockefeller, Arthur S. Fleming, and Milton Eisenhower to represent me and work with my assistant, Gov. Sherman Adams, and the Budget Director in connection with this study. In view of the fact that the appointment of the new Cabinet will soon be complete, I would like to make available to the Cabinet designees the experience and findings of the experts who are now conducting the review.

With lasting appreciation of your initiative and selfless devotion in this matter,

Sincerely,

DWIGHT D. EISENHOWER.

To the average taxpaying citizen who has knowledge of the President's desire to streamline our Government, of his authority, there would seem to be little need for further research. Present conditions are obvious. The cure—Executive action is available. Why spend further time in diagnosis?

Many other studies have been made by experts, reports have been submitted to Congress, and, while some savings may have been made, some greater efficiency obtained, the argument for the adoption of this legislation is still based upon the fact that, notwithstanding the expenditure of millions, if not billions, of dollars, the writing of thousands of words of legislation, in the effort to force greater economy, more efficiency, upon the executive departments of the Government, the present situation is such that it is common knowledge that in the executive departments (and, in my opinion, the legislative departments as well) there is outlandish waste, deplorable lack of efficiency—a situation which, in the 82d Congress, was dramatically emphasized by congressional committees whose activities were directed, whose conclusions were reached, by members of the Democratic Party.

In fact, the situation was so bad that loyalty to party was superseded by devotion to country, and the overall situation was commonly known and characterized as a "mess." It was condemned November 4, 1952.

(NOTE.—That reorganizations did not bring economy, fewer employees, see exhibit D.)

The Hoover Commission warned: "The Nation is paying heavily for a lack of order, a lack of clear lines of authority and responsibility, and a lack of effective organization in the executive branch."

But Congress has paid more attention to the Hoover Commission, and does more about it, than the past administration did. According to Morris Sayre:

"1. A total of 81 legislative enactments—51 public laws and 30 Presidential reorganization plans—for improvement of the Fed-

eral structure are credited to the 81st and 82d Congresses.

"2. Sixty-five percent of the Hoover Commission's recommendations have been adopted and are being, in some measure, applied."

Time and time again we have had a reorganization of the executive department, sometimes on recommendations of the experts, sometimes by Presidential plan. None, nor all, have given us either efficiency or economy. Having been tried and found wanting, why not apply the obvious remedy?

Neither the reorganization plans recommended by experts, the recommendations made by the Hoover Commission and adopted, nor the plans sent down by President Roosevelt or President Truman have ended the inefficiency, the waste.

3. CONFERRING LEGISLATIVE POWER UPON A PRESIDENT TO REORGANIZE THE EXECUTIVE DEPARTMENTS IS UNNECESSARY

(a) Because a President now has the authority to appoint the heads of the executive departments and to force them to adopt practices which will bring about both economy and efficiency of administrative functions; and

(b) A willing Congress, knowing the urgent need for both economy and efficiency in the operation of the executive departments, will enact any and all necessary, constructive legislation which he may send to it by either bill or resolution.

(c) Because we now have a President who has the administrative ability the courage, the desire, and the determination to, by Executive order, or the approval of bills or recommendations submitted to Congress, "clean up the mess" which was so large a factor in his election.

Now, it is quite true that obviously, in a business as large and as sprawling as is the Federal Government, there must be overall plans. No one contends that this Government of ours or any one branch of it can be successfully operated without plans and organization.

Equally true is it that no legislation, no organizational setup, will either operate itself or can be made foolproof. Inefficient administration will wreck the most perfect organization.

The President is aware of the danger to our economic structure; he is undoubtedly determined that, in the executive departments, we shall have both efficiency and economy; he is, as the people decided in November, a superlative administrator, a man accustomed to command the obedience of those under him. I can see no reason why our President cannot, why he will not, attain the long-sought objective of an economic, efficient administration in the executive departments.

For myself, I prefer to retain our constitutional government, rely for the needed reforms upon the unquestioned ability, integrity, courage, and determination of our President.

That I am justified in this belief is evidenced by order No. 1 of Attorney General Herbert Brownell, Jr., which demands that the employees under him give the service to which the Government has so long been entitled, to which the people have been looking forward. (See exhibit A.)

There is also proof, in a release by Secretary Benson, that in the Agriculture Department, a similar drive is on. (See exhibit B.)

Just 10 days ago, President Eisenhower took over, and, within that 10-day period, we have not only these 2, but several other orders which, if followed throughout the executive departments, will give us the needed cure.

What more evidence does the most skeptical new dealer want to convince him that we are on the road toward a more economi-

cal, a more efficient executive department, a balanced budget, a lower tax rate?

What this country needs is not an unconstitutional grant of legislative power to the executive department, but faith in the Chief Executive, an opportunity given him to, may I state, crack the whip, let the subordinates know that he means business.

If the President finds that he cannot bring about necessary and desirable reforms under the power he now has, or through resolutions sent to a more-than-willing Congress, the Congress can easily and quickly change its procedure to insure immediate consideration of new legislation.

In my judgment, one objecting to a remedy should offer an alternative. For this reason I have attached hereto a proposed amendment to the Legislative Reorganization Act of 1946 which, in my judgment, would answer the purpose without ignoring constitutional provisions. (See exhibit C.)

I cannot vote for this bill because today's grant of unconstitutional power to a liberty-loving President may be tomorrow's weapon in the hands of a now unknown tyrant.

EXHIBIT A

OFFICE OF THE ATTORNEY GENERAL,
WASHINGTON, D. C.

ORDER NO. 1

To All Officials and Employees of the Department of Justice:

The business hours of the Department for all offices, including the field, are hereby established as 9 a. m. to 5:30 p. m., Monday through Friday, inclusive. Variations in the established workweek or irregular tours of duty may be fixed to meet the requirements of law or the needs of the service. The hours of duty must be strictly observed.

A schedule for lunch periods will be established in each office on a staggered basis so that someone will be present at all times to answer inquiries or handle routine business. Any abuses of the time allotted for lunch should be corrected by administrative action either as a charge against annual leave or appropriate disciplinary measures.

Unavoidable or necessary absence from duty not in excess of 30 minutes and tardiness may be excused by the supervisor. The time must be made up either by charge against overtime previously worked or subsequent overtime. Habitual tardiness will not be excused and will be charged against annual leave or corrected through disciplinary action. The minimum charge for annual leave regardless of the period of tardiness is 1 hour.

Complete records must be maintained by the time and attendance clerk on all periods of overtime. All paid overtime must be ordered by the head of the division or office and approved in advance by the Deputy Attorney General or the Administrative Assistant Attorney General.

This order becomes effective immediately.

HERBERT BROWNELL, Jr.,
Attorney General.

EXHIBIT B

UNITED STATES DEPARTMENT
OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, January 22, 1953.

SECRETARY BENSON MOVES TO OVERHAUL
DEPARTMENT OF AGRICULTURE

The United States Department of Agriculture, largest of all the Nation's civilian agencies, swollen into a huge bureaucracy of 20 agencies and bureaus in the last 20 years, is getting a major overhauling.

Ezra Taft Benson, Secretary, announced today that he is regrouping the Department's services into four divisions for administrative purposes. Another division, that of the

Solicitor's office, will remain as presently constituted.

"This action," stated Benson, "will make possible a closer coordination of related activities. All the regrouped agencies retain their present structure with the exception of the Agricultural Conservation Program. This will be transferred from the Production and Marketing Administration and placed with the Research, Extension, and Land-Use Group.

"What we intend is a gradual streamlining of the Department's services in the interest of economy and greater efficiency. The action is taken after weeks of study and conferences with congressional leaders, the members of the President's Committee on Reorganization, our own Interim Agricultural Advisory Committee, and members of the Hoover Commission."

In a memorandum to agency heads and employees, announcing the new grouping and outlining the new lines of authority in his administration, Secretary Benson had this to say about policy:

"As public servants, we must recognize the duty and responsibility we have to serve the public efficiently and well. The people of this country have a right to expect that everyone of us will give a full day's work for a day's pay. They have a right to expect that we will find more effective and economical ways of doing our job. In these times of unprecedented public debt and continued high Federal expenditures, the public rightfully expects us to put forth even greater effort to effect savings in Government operations and to reduce public expenses. Fulfillment of this responsibility will require the undivided loyalty and support of every agency head and employee in the Department. We must work as a team if we are to meet the problems that lie ahead and render the greatest possible service to the farmers of America, the entire agricultural industry, and to this great and good country we love so much."

EXHIBIT C

A bill to amend the Legislative Reorganization Act of 1946 to provide for the expeditious consideration of bills to reorganize the executive branch of the Government

Resolved, That the Legislative Reorganization Act of 1946 is hereby amended by renumbering title III thereof to be title IV and by renumbering the sections thereof as follows: Section 301 to be section 401, section 302 to be section 402, section 303 to be section 403, section 304 to be section 404, section 305 to be section 405, section 306 to be section 406, section 307 to be section 407, section 308 to be section 408, section 309 to be section 409, section 310 to be section 410, and section 311 to be section 411; by renumbering title IV to be title V and by renumbering the sections thereof as follows: Section 401 to be section 501, section 402 to be section 502, section 403 to be section 503, section 404 to be section 504, section 410 to be section 510, section 411 to be section 511, section 412 to be section 512, section 413 to be section 513, section 420 to be section 520, section 421 to be section 521, section 422 to be section 522, section 423 to be section 523, and section 424 to be section 524; by renumbering title V thereof to be title VI and by renumbering the sections thereof as follows: Section 501 to be section 601, section 502 to be section 602, section 503 to be section 603, section 504 to be section 604, section 505 to be section 605, section 506 to be section 606, section 507 to be section 607, section 508 to be section 608, section

509 to be section 609, section 510 to be section 610, and section 511 to be section 611; by renumbering title VI thereof to be title VII and by renumbering the sections thereof as follows: Section 601 to be section 701, and section 602 to be section 702.

SEC. 2. The Legislative Reorganization Act of 1946 is further amended by inserting a new title III therein, as follows:

"TITLE III—REORGANIZATION OF THE EXECUTIVE DEPARTMENT

"SEC. 301. Whenever the President shall transmit to the Speaker of the House and to the President of the Senate a proposal in the form of a bill for a statutory change involving the reorganization of departments or agencies of the executive branch of the Government and not involving any other matters, the proposal shall be referred to the Committee on Government Operations, which committee shall conduct hearings and report out a bill with recommendations, within 15 legislative days of the date on which the proposal was referred to the committee.

"SEC. 302. When the committee has reported, or has been discharged from further consideration of a proposal referred to it as set forth in section 301 hereof, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the bill. Such motion shall be highly privileged and shall not be debatable. No amendments to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"SEC. 303. (a) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a bill of the nature set forth in section 301 hereof, and all motions to proceed to the consideration of other business shall be decided without debate.

"(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a bill of the nature set forth in section 301 hereof shall be decided without debate."

EXHIBIT D

In 1939 it was argued that it was necessary to give the President the power to reorganize the Government in order to do away with useless commissions, bureaus, and agencies, make the executive branch more efficient, effect a reduction in the cost of government. The President was given the needed authority. But, in truth and in fact, we soon found ourselves with more commissions, bureaus, and other Federal agencies than we had at any time in our history.

We all understand that, because of our growth in population and ever-increasing services which are rendered to our people, our municipal organizations, and our States, Federal employees will increase in number. It is matter of common knowledge that the number of Federal employees is excessive, expenditures are wasteful. If this were not true, there would not be the overwhelming public demand for a reformation in administrative policies and practices.

If the reorganization acts produced economy, we should expect the economy to be reflected in a reduction in the number of all civilian Government employees within a reasonable time after action is taken under the acts. There have been no such reductions. This is illustrated by the following table:

Civilian employees as of the end of the year

1933.....	623,880
1934 ¹	714,657
1935 ²	830,122
1936 ³	846,316
1937.....	808,622
1938.....	920,979
1939.....	988,099
1940 ¹	1,183,344
1941 ²	1,670,922
1942 ³	2,810,871
1943.....	3,227,578
1944.....	3,412,355
1945.....	2,969,729
1946 ¹	2,277,078
1947 ²	1,999,431
1948 ³	2,075,559
1949.....	1,955,731
1950 ¹	2,181,217
1951 ²	2,518,137
1952 ³	2,562,792

¹ 1st year after a reorganization act.

² 2nd year after a reorganization act.

³ 3rd year after a reorganization act.

Mr. DAWSON of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut [Mr. DODD], a former member of the committee.

Mr. DODD. Mr. Chairman, I thank the chairman of this important committee for giving me this time. I have great respect and admiration for the chairman, the distinguished Member from Illinois [Mr. Dawson].

I served on the Government Operations Committee in the 1st session of the 83d Congress and I enjoyed my service as a member because I felt then, and I feel now, that it is a great committee of this House.

I introduced a bill in the 83d Congress which provides for partial disapproval of reorganization plans. That bill never came out of the committee.

Throughout my service on the Government Operations Committee during the 83d Congress, my concern about the delegation of power by the Congress was increased.

I believe that we must do more than talk about the preservation of constitutional responsibilities.

In the name of haste, of efficiency, and sometimes of personal presidential popularity, the Congress has been careless about its constitutional powers and responsibilities. This is not good for our country.

I believe we have already gone too far down the road with respect to the delegation of power for the purposes of governmental organization. But I also feel that it is futile now to attempt to reverse that course of conduct. We must make the best of a bad situation.

The proposal which I made in the 83d Congress and which I will reintroduce in this 84th Congress, is, I think, a reasonable compromise on this question of delegation of power for governmental reorganization.

It will retain for the Congress some real practical control with respect to reorganization plans. And yet, it will permit the executive department to have the first responsibility for reorganization procedures. It is not a complete cure. But it will help somewhat.

Under permission to extend my remarks, I now repeat the statement which I made on the floor of this House with respect to my proposal for partial disapproval on July 27, 1953.

I quote, in part, what I said at that time and I delete from my remarks certain statistical information not essential at this time:

Mr. Speaker, I have always been a strong supporter of the principles of reorganization of the executive departments. My interest and support of these principles predate my brief service in the House, because of my membership and later chairmanship of the Citizens Committee for the Hoover Report in Connecticut for the last several years. I am quite cognizant that efficiency and economy in government must be continually fostered, and thus consider it a privilege and an opportunity to sit as a member of the House Committee on Government Operations, which was designated by the House to favorably or unfavorably review reorganization proposals submitted by the President.

Having served on this committee for 6 months, however, I have become considerably concerned with some of the procedural aspects in the review of the various plans submitted. The Congress saw that the public interest demanded the carrying into effect of the reorganization proposals expeditiously and made approval easier by requiring a majority of the full membership of either House to disapprove a plan and giving the plans high preference in coming to a floor vote.

Because of the highly technical nature of many of a plan's provisions the Congress may not, under the present act, amend a plan but can only approve or disapprove in toto. However, I am alarmed by the direction and scope that some of the reorganization plans are taking. Often sections of a plan go further than to promote efficiency and economy, and, indeed, in certain areas, efficiency and economy are not the highest values of a democratic government. We have seen in the reorganization of the Department of Defense the shaping of policy of a far-reaching nature—policy which falls within the legislative power and function of the Congress. In that case an effective reorganization could have been made without provisions which many of us felt violated the constitutional and traditional concept of civilian control of the military.

In its desire to help a new President assume his responsibilities, in its respect for the arduous undertaking of the Hoover Commission, this Congress has approved every reorganization plan thus far submitted. But reorganization should be a continuing thing and should not be based upon the personal popularity of a Chief Executive at a given moment, nor should the time and money expended by a Hoover Commission task force be lost. The ail or nothing idea involved has the effect of approval of a defective plan or total disapproval of a plan with great merit.

Under the present procedure this defect is impossible to cure. The amendment to the Reorganization Act of 1949 which I am introducing today would give either House the power to veto a section of a plan. Such a veto with accompanying suggestions would be a proper expression of legislative disapproval but still allow the President the opportunity to word the changed clause or section to his satisfaction. Other provisions of a plan could take immediate effect and would not need to await the necessary changes as directed by the Congress.

Mr. Chairman, I will offer a bill to achieve the objectives which I have pointed out today, and I earnestly ask the Committee on Government Opera-

tion to give this proposal careful consideration.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I realize that this legislation in its present form will be adopted. I am a member of the Committee on Government Operations, and have considered extension of the Reorganization Act on two previous occasions as a member of that committee and as a Member of the House.

My remarks defining my position have appeared in the CONGRESSIONAL RECORD previously. For purposes of reference, statements I made on this subject 2 years ago, in the 83d Congress, appear in the CONGRESSIONAL RECORD of February 3, 1953, pages 771 to 774.

I find myself in general agreement with the ranking minority member of the Committee on Government Operations, the gentleman from Michigan [Mr. HOFFMAN], on the basic philosophical approach to this type of legislation in reverse. We have delegated power vested in us in the Constitution, the policy-formulating power of the Government, to the President in the Reorganization Act.

The thing that disturbs me the most is that since the early thirties, with the exception of only a few months during the 80th Congress, this temporary authority to make reorganizations in the executive branch of the Government has existed continually, being renewed from time to time.

Heretofore, the renewals have only been for 2 years, at least in recent times. Now, without paying much attention to it, or anyone raising their voice against it, we are renewing the Reorganization Act for 3 years. I presume in 1958, when it comes up again, regardless of the party in power, it will be offered for extension again. By and by the time will come when the Congress will no longer care that the President, in effect, is making policy in derogation of the prerogatives, the privileges, the dignity and the responsibility of the elected representatives of the people. I think that is a matter of some concern.

This measure comes before us in haste, after no more than the most cursory consideration by the committee. What did we do? A meeting of the Committee on Government Operations was called by telephone at 10:30 on Monday morning, without any notice of what was coming up. The meeting was held at 2 o'clock on Monday afternoon. A motion was made to report out the measure now before us. No witnesses appeared. No showing whatever was made. There are no hearings before us to show why a 3-year extension is necessary at this time. I offered an amendment to strike out November 1, 1958, and insert April 1, 1956.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield.

Mr. HOFFMAN of Michigan. And at least half of the members of that committee are serving their first term here, any they have no knowledge of what happened before; is that not correct?

Mr. MEADER. I think the gentleman has made a point; that particularly the new Members of the House and of the Committee on Government Operations, and there are many new Members on it, are not sufficiently familiar with the implications of this legislation to pass upon it in such a casual and perfunctory fashion as we are employing in adopting this measure here today. At any rate, here we are on Wednesday with 1 hour of debate to discuss this question which affects our basic constitutional structure and the right of the people through their elected Representatives to determine what their national policies should be.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield.

Mr. BROWN of Ohio. Is the gentleman opposed to this legislation or does he favor it? I mean is the gentleman for or against the basic purposes of this legislation?

Mr. MEADER. I may say to the gentleman that on two previous occasions when this legislation was before us, I voted for it, and I am glad the gentleman, who is a member of the Hoover Commission, asked that question.

As the gentleman said earlier, sometime this spring, perhaps in May, the recommendations of the Hoover Commission will be made. They should be considered both through legislation and through the power of the President to submit reorganization plans. But let me point out, and I asked the gentleman the question for the very purpose of pointing this out, that a 1-year extension to April 1, 1956, should be adequate to take care of those recommendations which come out of the Hoover Commission, which expires in May of this year.

Having reorganized the executive branch of the Government on the basis of the Hoover Commission recommendations, let us be done with it. After April 1, 1956, there will be a Congress and if the situation then calls for a further extension, upon a strong showing—not upon no showing at all such as we had in our committee—but upon a strong showing that the President needs a continuation of this power, the Congress will be here to grant an extension. But, I would treat this sacred power of ours very, very cautiously and I would not grant a long extension on casual and perfunctory consideration.

Mr. BROWN of Ohio. But the objections of the gentleman from Michigan do not go to the basic bill itself, but only to the length of time for which this would be done, is that it?

Mr. MEADER. May I say to the gentleman, I think there should come a time when this reorganizing job is finished. Then we can proceed to legislate through orderly processes under the Constitution rather than legislating in reverse as is now the case when the bureaus and the departments send up programs involving national policy, mind you, over which we have limited and meager change of repudiation.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield further?

Mr. MEADER. I yield.

Mr. BROWN of Ohio. Of course the gentleman is aware of the fact that there was a long period of time in our history when there was no power to reorganize these Government organizations vested in the President. The only change that could be made was by action of the Congress. And it was during that period of time that this great Government of ours mushroomed and grew so big and so fast that it was impossible to keep track of it, and the Congress finally decided that perhaps it should use as its arm a commission especially established for that purpose, to look into the reorganization of the executive branch, because the Congress itself had failed or had been unable to do it itself.

Mr. MEADER. The gentleman will pardon me. I do not like to disagree with him on the history of this reorganization legislation, but I believe that this reorganization power delegated to the President has existed practically since the inception of the New Deal. The Government was much more economical and much smaller before there was any power in the President to reorganize, and it was while that power existed that the Government has mushroomed.

Mr. BROWN of Ohio. Will the gentleman yield further?

Mr. MEADER. I yield.

Mr. BROWN of Ohio. The gentleman may have a point in what he has said. I agree to the mushrooming during World War II. But this grant of power to the President to submit reorganization plans in no way shackles the power of the Congress to go ahead and do all the reorganizing it wants to do. The gentleman can introduce a complete plan of reorganization for every department of our Government through legislation, if he desires; and if the Congress approves, the Congress will then have reorganized the executive branch. But the fact remains that history teaches us that Congress has not done it. Therefore, finally, Congress established a commission as a legislative arm to do the job.

Mr. MEADER. I agree with the gentleman. The Congress does have the power to reorganize the departments, and perhaps it has been lax in exercising that authority intelligently. But let me also point out that unless it runs counter to the will of Congress, expressed in some statute, the President has full power to streamline the executive branch of the Government. It is only when he must contravene a provision of the law passed by Congress that he needs to use the reorganization plan procedure. I might say that I hope the gentleman will agree with me that sometime this urgent, emergency reorganization job can be finished, and we can return to the legislative procedure for whatever reorganizing may be necessary in the executive branch of the Government.

Mr. BROWN of Ohio. Again I express the hope that the time will come when the Government does not need reorganization, but it does seem to me, from my experience of about 40 years, that perhaps the Congress and the President create the need for reorganization,

or that at least it will be a continuing need and a growing need. We very often find some action will have to be taken by some arm of the Congress to take a look at the Government's structure and see whether or not greater economy and efficiency can be obtained.

Mr. MEADER. May I point out to the gentleman that the committee, on which he and I both serve, does have the responsibility of looking into the efficiency of the Government. If we could properly staff that committee—although, perhaps, we could not do as good a job as the Hoover Commission—we could do a pretty good job, using constitutional legislative processes.

Mr. BROWN of Ohio. And the gentleman of course must either feel that the committee has been lax in its duty or that it has had so much work to do that it could not accomplish the task assigned to it. Which position does the gentleman take?

Mr. MEADER. The gentleman takes the position that the committee has very wide authority and that it has not exercised that authority effectively because it has not built up an adequate staff to do the job. I dare say that the Hoover Commission has a much larger staff than any committee of the House of Representatives.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. MEADER] has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield the gentleman the remainder of the time on this side, 7 minutes.

Mr. MEADER. I would like to elaborate my point that the power to submit reorganization plans is policy formulation.

Congress has not equipped itself, in my judgment, adequately through investigative instruments to find the facts concerning a legislative subject, so as to base its policy, in clear and specific terms, on logic and facts. It has been necessary increasingly in past decades to create boards and commissions. The Congress has usually set up general standards or objectives for those commissions and then give them, as it were, legislative power to carry out the objectives and accomplish the will of the Congress.

The Congress has sought, when it has delegated this vast authority over public affairs to a board, to hedge it about with certain checks and restrictions.

I am sure the gentleman from Ohio will recall that Reorganization Plan No. 1 of 1951 proposed to abolish the Board of Directors of the Reconstruction Finance Corporation and substitute a single administrator with no limit on his term.

The Congress, in giving the Reconstruction Finance Corporation vast authority over public funds, particularly the lending of public funds to private organizations, had sought to prevent abuse of that power by certain checks and restrictions.

What were those checks and restrictions? One was that not more than 3 of the 5 members of the Board of Directors should be of the same political party;

that not more than one should be from any one Federal Reserve district; that their terms expire at staggered intervals. They could continue to serve thereafter only if renominated and confirmed by the Senate.

Those checks and balances were put in there by Congress as a matter of policy to prevent abuse and the dissipation of public moneys; and I say they were intentionally put there by Congress as a policy-making function of the Congress.

What then, did Reorganization Plan No. 1 of 1951, do? It left all the authority that Congress granted to the Board of Directors of the Reconstruction Finance Corporation, but it removed all the checks and balances and thereby paved the way for a further gravitation of power to the executive branch of the Government.

I say you cannot talk about reorganization plans solely in terms of realigning structures within the departments of the Government. When you take away checks that the people's representatives in their wisdom placed against the abuse of public money or public authority by our public officials, then I say that is policy making; and that is why this matter is so urgent and why we should not permit ourselves as representatives of the people, sworn to uphold and defend the Constitution, to go on constantly and in an unusual fashion to pass our power, our sacred power, over to the executive branch of the Government.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield.

Mr. HARDY. But when a reorganization plan comes before the Congress which does have policy in it submitted by the executive departments, any Member of Congress, the gentleman himself, could introduce a bill to do the exact opposite of what the President requests be done.

Mr. MEADER. That is exactly what happened last year. A reorganization plan came up here last year abolishing the Board of Directors of the Export-Import Bank and creating a single Administrator, but somewhere along the line in the months that followed the Congress passed a provision that was slipped into a bill that came out of the Banking and Currency Committee abolishing that part of the reorganization plan, abolishing the administrator and reestablishing the Board of Directors.

Mr. HARDY. The gentleman will have to admit that the Congress did reestablish its authority and control, and we did not know much about it.

Mr. MEADER. The gentleman must remember that once a reorganization plan is sent up it requires a constitutional majority vote to stop it. The President has the advantage; he can veto a bill repealing the reorganization plan and it would take a two-thirds vote of both Houses to pass the bill over his objection.

Mr. HARDY. Mr. Chairman, will the gentleman yield further?

Mr. MEADER. I yield.

Mr. HARDY. The gentleman realizes then that early last year we did ac-

comply that which was so difficult and hardly anybody knew about it.

Mr. MEADER. Well, the President went along when it was in the bill.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Connecticut.

Mr. DODD. I wish to compliment the gentleman for the contribution he is making and to ask him if he does not agree that perhaps partial disapproval of a plan will at least help with respect to this problem that he is pointing out.

Mr. MEADER. I certainly do, and I want to commend the gentleman for introducing that legislation. We have sought to deal with that problem before. Too few Members realize how much our hands are tied under this reorganization-plan procedure. We cannot even make the correction of a typographical error in a Presidential reorganization plan. We can vote it up or down, but it is almost impossible to vote it down because we have to do so by a constitutional majority, meaning 218 Members in the House or 49 Members in the Senate. I think the gentleman by attempting to find some middle ground so that the Congress can, in part, work its will in the field, has made a very constructive suggestion. I shall be glad to study the gentleman's measure and hope to be able to persuade the committee and my genial friend, the chairman, and other members of the committee, to give consideration to the gentleman's bill.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I ask the gentleman to yield because I would like to agree with him as much as I can. I want to go back far enough in his remarks to agree with him on the statement he has made that the committees of Congress are not properly staffed. That is a matter that has been a problem before us for a very long while; yet I feel that that is a matter in which the Congress rather than the President is at fault. Any understaffing of committees on the Hill is entirely our own fault and we are to blame for that failure. Which brings up the question as to just how much work the individual Member of Congress can do and how much assistance he can assimilate from a staff. There are certain questions of policy that should be passed upon not by staff members, employees of the committee, but by the committee itself.

I would like to speak on one other subject just a second.

Mr. DAWSON of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I have asked for this time to clear up a statement which was made a while ago that is somewhat in error. It has to do with the number of new Members that are on the committee at the present time. I believe the statement was made that about half the members are first timers. That is not accurate. There is a total of 30 Members on both sides of the aisle on the committee. Of that 30 there are

4 Members of the minority that are serving for the first time and 1 Member on our side, a total of 5 out of the 30. So 25 members of the committee are not new to this subject.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Indiana.

Mr. HARVEY. I ask the gentleman to yield not to take issue with him; however, I have listened to this debate with a great deal of interest and noted that several statements have been made that no reorganization plan has been effective except by Presidential proposal. I think the gentleman will well remember that in 1949 the General Services Administration was established, which had a very important bearing on the economical phase of our Government. That was brought up by substantive legislation.

Mr. HARDY. I would certainly have to agree with the gentleman, and I think it is a fine idea that we do have substantive legislation. Substantive legislation is still permissible and possible with the Reorganization Act in effect.

Mr. HARVEY. The main point I want to make, and I am sure the gentleman from Virginia will agree, is that not all reorganization legislation has come by Presidential recommendation.

Mr. HARDY. I wish more could come about without having to originate in Presidential plans. May I say that I have a personal interest in the suggestion made by our colleague the gentleman from Connecticut [Mr. DODD]. I shall be interested in studying that legislation at the proper time, but this is not the proper time for it.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I would like to agree in substance with what the gentleman from Connecticut has suggested. I have been concerned about that same problem.

Mr. HARDY. The gentleman will agree with me that the committee should give its attention to it.

Mr. BROWN of Ohio. I agree with the gentleman.

Mr. DAWSON of Illinois. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended by the act of February 11, 1953 (67 Stat. 4), is hereby further amended by striking out "April 1, 1955" and inserting in lieu thereof "April 1, 1958."

Mr. MEADER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amended offered by Mr. MEADER: On page 1, line 7, after the comma, strike out "1958" and insert "1956."

Mr. MEADER. Mr. Chairman, I do not believe it will be necessary for me to take 5 minutes, since I discussed this subject during general debate.

Let me point out that with respect to any reorganizations in the executive

branch of the Government which do not contravene a statute, the President now has and always has had the right to make realignments and structural changes for the purposes of running the Government more efficiently and more economically.

Let me point out also that Congress has the power through legislation to alter any statutes which are thought to be in need of alteration.

And, let me point out with respect to the 1 year extension that the work of the Hoover Commission should be completed in May of this year. It perhaps will not be possible to send up Presidential reorganization plans based on the Hoover Commission studies for this session of the Congress if we adjourn when we all hope we will, but certainly by April 1 of next year, 1956, those recommendations of the Hoover Commission would have had ample opportunity for study by the executive branch of the Government, and any reorganization plans thought desirable could very well be presented to the Congress before the 1st of April, 1956.

Taking the cue from my colleague on the committee the gentleman from Ohio [Mr. BROWN] let me say that the earlier terminal date may have the effect of speeding up the presentation of these reorganization plans to get them in before the deadline.

Now, I want to point out that in addition we will be in session on April 1 of 1956, and if there is any need at that time for further extension, this Congress can very easily act on it.

I am disturbed that we grant this legislative power through these renewals so casually when it involves the very jurisdiction of this legislative body. I think we should be very cautious and very chary of giving away the power delegated to us by the Constitution which we have sworn to uphold.

A 3 year extension is not necessary. One year will be ample, and I favor extending it so that the advantages of the study of the Hoover Commission can be worked out either through legislation or through the presentation of reorganization plans.

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I regret exceedingly that I find it necessary to rise in opposition to the amendment of my good friend and colleague the gentleman from Michigan [Mr. MEADER]. Seemingly he approves generally of the Congress granting power to the President of the United States to submit reorganization plans to the Congress, the only difference being that he feels the term or time should be 1 year instead of either 2 years or 3 years.

I want to point out that in my opinion—and I think in the opinion of most students of the question—1 year is not a sufficient length of time under the present circumstances for the submission of reorganization plans. The Hoover Commission itself, which is preparing to make certain recommendations

to the Congress and to the President, will not conclude its work until May 31. It may be that it will be a month later before the printed copies of these recommendations can be made available to the Congress. Once they are made available, either the President through reorganization plans or the Congress through legislation can take action based upon the recommendations of the Commission.

However, the President will need some time, as will his advisers, to study the recommendations of the Hoover Commission and come to a conclusion as to the wisdom or lack of wisdom thereof. Certainly the Congress will need time. Personally I am rather hopeful, and I suspect there are others who are equally hopeful, that the Congress may see fit to adjourn sometime next year along about in July or August, perhaps, as the Reorganization Act requires.

Mr. HOFFMAN of Michigan. July.

Mr. BROWN of Ohio. In July, as the act requires, as the gentleman from Michigan [Mr. HOFFMAN] has pointed out. Then we will not be here to pass on these reorganization plans as submitted. There are 60 days in which Congress has to act, and if the President submitted a reorganization plan just before Congress adjourned, we would be in the dilemma either of having to continue in session or else there might be charges that the President was engaging in rather sharp practices, in not giving us an opportunity to study his reorganization plan.

The same thing occurs next year. Congress will not meet until perhaps January 3. If reorganization plans are submitted then, the Congress should have at least 60 days in which to act, and we would be having all these problems coming up in one short 3-month period.

So I think either a 2-year extension, as I originally proposed, or a 3-year extension, as proposed in this bill, would be the proper provision. The President, I feel I know, will not be satisfied with a 1-year extension. I feel that he thinks that that would be shackling him, not giving him a fair opportunity to consider the recommendations of this Commission. I think either this bill or the other bill should be adopted.

Mr. HOFFMAN of Michigan. Mr. Chairman, would the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HOFFMAN of Michigan. Lacking the White House connections which my distinguished colleague has, I should like to ask him, does he recall that during the 83d Congress there was bitter complaint many times on the other side of the aisle that we did not have an opportunity to get the facts as to whether the plan submitted was or was not acceptable; and that I was forced in order to have those hearings, to offer a resolution disapproving the plan, which was really contrary to my own position?

Mr. BROWN of Ohio. The gentleman from Michigan [Mr. HOFFMAN] and I are both attempting to cooperate with the President in the matter of reorganization legislation. I introduced a measure this year that I understood was the admin-

istration measure. A year ago the gentleman from Michigan [Mr. HOFFMAN] introduced a bill which we then understood was the administration measure. So in the past we have both supported the President's right to have such legislation considered, and I hope that we will both support the President's position on this particular piece of legislation and adopt either the measure now before us or, if not, that we do not reduce the extension of the act below 2 years.

In other words, I hope that this amendment will be voted down.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I am not opposed to Government reorganization, but I am absolutely opposed to this sort of procedure in putting reorganization plans into effect.

Under existing legislation, which this measure would perpetuate for another 3 years, there is a wholly unjustified delegation of power to the administrative branch of Government. As explained by others, a reorganization plan submitted by the administrative branch must be voted up or down on the House floor without recourse to amendment. Members of the House can change neither a word nor a comma of legislation that may establish or change Government policy. This is incompatible with every democratic process.

Equally as bad as this procedure is the back-door method of voting. Contrary to the disposition of all other legislation, Congress must vote affirmatively and by a majority of the 435 Members of the House to reject one of these plans. In other words, an affirmative vote must be taken on a negative proposition. This is a fantastic proceeding.

Mr. Chairman, I repeat that I favor Government reorganization where it is deemed necessary and I certainly recognize the right and the duty of the executive branch of Government to make recommendations. But I am absolutely opposed to this autocratic method of ramming highly important legislation down the collective throat of Congress on a virtual take-it-or-leave-it basis.

For the reasons stated in the foregoing I want the RECORD to show that I cannot support the extension of existing law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MEADER].

The amendment was rejected.

Mr. MEADER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MEADER: On page 1, after line 7, insert a new section to read as follows:

"SEC. 2. Subsection (a) of section 6 of the Reorganization Act of 1949 is hereby amended to read as follows:

"(a) Except as may be otherwise provided pursuant to subsection (c) of this section, the provisions of the reorganization plan shall take effect upon the expiration of the first period of 60 calendar days, of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such 60-day period there has not been passed by either of the two Houses a resolution stating in substance

that that House does not favor the reorganization plan."

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. MEADER. I yield for that purpose, Mr. Chairman.

Mr. HOFFMAN of Michigan. It is my understanding that there was another amendment at the desk, the amendment of the gentleman from North Carolina [Mr. JONAS]. He should not be foreclosed by the committee's considering this amendment. Can he later offer his amendment with reference to the expiration of the bill?

The CHAIRMAN. The amendment to the preceding section should be offered in advance of this one.

Mr. JONAS. Mr. Chairman, I was on my feet but the Chair recognized the gentleman from Michigan. I have sent an amendment to the desk to change the expiration date to 1957.

The CHAIRMAN. The Chair did not observe the gentleman standing, but the gentleman will be protected and his amendment will be considered.

Mr. JONAS. I do not care to debate it, I just want to have a vote on it, and then the gentleman from Michigan can proceed.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Amendment offered by Mr. JONAS: On page 1, line 7, after the comma strike out "1958" and insert "1957."

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in support of the amendment. It is not because I care anything about this date, but inasmuch as the gentleman from Ohio introduced a bill prior to the introduction of the bill we are now considering and which has carried this date, and in view of the fact that heretofore—and I am referring now to a specific incident—I think this amendment should be adopted, and the gentleman from Ohio receive credit for its introduction.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Indiana.

Mr. BROWNSON. Does the gentleman know the attitude of the gentleman from Ohio, who has been presenting the White House viewpoint on this thing, about this amendment today?

Mr. HOFFMAN of Michigan. Inasmuch as the original bill which he introduced carried this date, the date in the amendment now before us, I assume that he is speaking, as he always does, with knowledge of what has gone before.

Mr. BROWNSON. I thank the gentleman.

Mr. HOFFMAN of Michigan. Here is the point I am trying to make clear to the Committee, and the only point. Will it be the policy of the majority party to disregard any bills that are introduced by members of the minority and to substitute for these bills others which will bring about the same results?

I recall very distinctly in years gone by offering amendments when the same

party that is in control now was in control, and the amendment would be voted down in the House. Then, when the bill went over to the Senate, the same or a similar amendment would be inserted by a member of the majority party, be accepted there and, later, when it came back, accepted here.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. BROWN of Ohio. The gentleman, for whom I have great affection—

Mr. HOFFMAN of Michigan. Yes; I appreciate that. I am glad the attitude of the gentleman has changed. I want to bask in the sunshine of that high regard while I may.

Mr. BROWN of Ohio. The gentleman has been so delightful in recent weeks that we must all change.

Mr. HOFFMAN of Michigan. I hope the gentleman will be consistent now in that and not reverse himself before the first 3 months of the session are over.

Mr. BROWN of Ohio. So long as the gentleman continues his delightful attitude toward his colleagues.

Mr. HOFFMAN of Michigan. It is the same attitude that I have always had.

Mr. BROWN of Ohio. May I continue?

Mr. HOFFMAN of Michigan. Yes; you just did not recognize it, that is all. Yes; I beg your pardon. I was only trying to suggest that, when identical or similar bills are introduced, the Member who first makes the fight for the legislation should, in fairness, receive credit for its adoption if it is adopted.

Mr. BROWN of Ohio. The gentleman is long on assumption, for, of course, he is one of the great assumers of the House. However, he is correct in his assumption today that the bill I introduced was cleared with the White House. In fact, if I might say so, I consulted with the White House, and at that time agreement was made that the bill would provide a 2-year period. However, since that time I understand the Bureau of the Budget, representing the President, has said a 3-year extension is acceptable. Therefore I have gone along with the action of the Committee on Government Operation, of which the gentleman from Michigan and I are both members, by which the committee unanimously reported this bill—the Dawson bill. The gentleman from Michigan, as I recall, reserved the right to oppose the bill on the floor; but approved reporting the measure to the floor of the House for consideration. Feeling as I do, that I am more or less bound by the action of the committee—that the majority still rules—I have not pressed for the substitution of my particular bill or insisted that the measure before us carry the length of time for the extension of the reorganization act that I had written into my measure. Therefore I am supporting the committee's decision which has the unanimous approval of the committee.

Mr. HOFFMAN of Michigan. I want to thank the gentleman for transmitting the information from the White House. I hope he will continue to do so, because

as a Republican I would like to be advised from time to time as to the administration's attitude toward specific legislation which may be suggested.

Mr. JONAS. Mr. Chairman, I rise in support of my amendment. May I say to the committee, I do not care to get into an argument about the authorship of the bill. The bill, as it will pass the House, will be the Dawson bill. I know nothing about any competition between Members to get any particular bill before the committee for a decision. My feeling with respect to the termination date is that it would be better to terminate it at the beginning of the term of office of the next President, whoever he may be, and when a new Congress comes into being, which will be January 1957. A President will be inaugurated in January 1957, and he and the new Congress should have the right to decide then whether to ask for a further extension beyond April 1, 1957.

Mr. DAWSON of Illinois. Mr. Chairman, I rise in opposition to this amendment. It is true that the President in his request asked for 2 years, so I am told. We know that in his message to the Congress, he did not specify the time. We submitted to one whom we considered the mouthpiece of the President both of these bills. Certainly, as I stated before, the President would not ask initially for a period beyond the date of his administration. We can all appreciate that, but certainly the present President would want to give to his successor, whether it would be himself or a new man of another party, a period in which to study the executive departments and also in which to study this law and its application.

Mr. Chairman, I have no pride of ownership in this bill as the Dawson bill. I do have pride of ownership in the subject matter and intentment. When the President said he would be happy to favor such a bill, I am sure he meant what he said when he said it. Also, the bill extending the time to 1958 was unanimously voted out by our committee, and I am of the opinion that the House and this Committee ought to follow the unanimous vote of the committee.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Illinois. I am happy to yield to my distinguished friend.

Mr. BROWN of Ohio. I have just been advised—I did not quite hear the gentleman because I was engaged in conversation with another colleague that the expression "mouthpiece of the President" was used with reference to me.

Mr. DAWSON of Illinois. If I have referred to the gentleman wrongly, I apologize.

Mr. BROWN of Ohio. In the city of Chicago, if I recall, the word "mouthpiece" has a rather peculiar connotation.

Mr. DAWSON of Illinois. Oh, I did not mean to imply anything peculiar.

Mr. BROWN of Ohio. I hope that it does not mean that the President of the United States needs any criminal lawyer or defense of any kind.

Mr. DAWSON of Illinois. He does not, and I would say when I used the word

"mouthpiece," I apologize for using it, but I am happy that we have one of our Members whose word we can take when he states a matter as having the approval of the Chief Executive.

Mr. BROWN of Ohio. I thank the gentleman very much, and if the gentleman would just change that to "Ambassador of Good Will" that would be fine.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. JONAS].

The amendment was rejected.

The CHAIRMAN. The amendment offered by the gentleman from Michigan [Mr. MEADER] having already been read, the gentleman is now recognized in support of his amendment.

Mr. MEADER. Mr. Chairman, the effect of this amendment is to eliminate the requirement that reorganization plans must be approved by a constitutional majority. The language stricken is by the affirmative vote of a majority of the authorized membership of that House.

In other words, under the present law, it takes 218 votes in the House against a reorganization plan to defeat it. You will appreciate what that signifies, from the results of a study I made of the rollcalls in the 82d Congress. There were 181 rollcalls in that Congress. The highest number of Members ever present in the 82d Congress was 426. The lowest number was 233. The average was about 357. There were only 20 of those 181 rollcalls on which more than 400 Members were present on the floor. There were almost 20 on which less than 300 Members were present. Suppose a reorganization plan came up for consideration when there were only 233 Members on the floor—and there was such a rollcall in the 82d Congress—it would mean then that only 16 Members of the House could defeat the will of 217 Members.

In other words, I am trying to emphasize that this seemingly innocent constitutional majority provision approaches the degree of voting required to override a Presidential veto, with 357 Members present, the average attendance on rollcalls in the 82d Congress. You can see it would be very difficult to get 218 of them to oppose anything recommended by a President. In other words, I say that under the present phraseology, the right of either House of the Congress to reject a reorganization plan is an illusory right.

I wish I had had the time, before making my address in the Committee of the Whole, to have made a complete study of the reorganization plans which have taken effect over the years. I had intended to make this study. But our committee acted so precipitately on this measure I did not have the time. But I venture to say that there are very few reorganization plans which have ever been disapproved by either House of the Congress. That indicates how completely our hands are tied. I think we ought to have the right to pass on these policies in the same way that we act on all other legislative matters; namely, by a majority of those present and voting, a quorum being present.

The House of Representatives in the 82d Congress on March 13, 1951, under Democratic control, adopted the provision of my amendment in debate on the so-called "quickie" emergency reorganization bill by a vote of 158 to 61; about $2\frac{1}{2}$ to 1. See the CONGRESSIONAL RECORD of that date, page 2333.

I hope the committee will adopt my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MEADER].

The amendment was rejected.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARRIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958, pursuant to House Resolution 109, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LAWS RELATING TO POLITICAL ACTIVITIES, CORRUPT PRACTICES, AND ELECTIONS

(Mr. BEAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include an editorial.)

Mr. BEAMER. Mr. Speaker, I have submitted a bill to make certain corrections in the Federal laws pertaining to political activities, corrupt practices, and elections. The specific section 12 as amended—title 5, United States Code, section 118k—presently forbids the so-called interference with an election by officers or employees of any State or local agency whose principal employment is in connection with any activity which is financed in whole or in part by loans or grants made by the United States or by any Federal agency.

Recently, a disgruntled discharged employee made a complaint to the United States Civil Service Commission about the political activities of certain employees in the State of Indiana. Appar-

ently, this same condition has arisen in many of the States.

In fact, if the charges that have been preferred are substantiated, then the same principle could be applied to all local groups. For example, Federal highway aid is used on both State and county and municipal highways and streets. Thus, it is conceivable that all workers on county, city, and State thoroughfares would be restricted from a constructive activity in the political party of their choice.

The same unworthy principle could apply to all appointed employees of the State and local departments of agriculture, conservation, hospitals, and all branches of welfare work. A previous Congress exempted employees of educational and research institutions from the provisions of this act. The same principle should apply to all and the Federal Government has encroached too far on State and local jurisdiction.

I would not exclude Federal employees from the provisions of this act. These sentiments are expressed in the following editorial of January 1, 1955, in the Indianapolis Star:

IT'S NONE OF THEIR BUSINESS

The Governor of Indiana has been summarily ordered by the Federal Civil Service Commission to reply in 15 days to charges against 4 employees of our State government. These State employees are charged with violating a Federal law prohibiting Federal employees from engaging in political activity. The Civil Service Commission asserts that they are Federal, not State employees, because the Federal Government grants a piddling \$67,000 out of the total State budget of \$915,000 for forestry purposes.

If Americans ever needed proof of the dangers of the arrogant assumption of greater and greater power by Federal bureaucrats dispensing Federal aid to the States, this should be proof enough. We are glad that the Commission has chosen Indiana as the whipping boy in its attempt to foist Federal control over our State officials. The people of Indiana have proved before that they are more than equal to such a challenge. We have beaten back one arbitrary attempt to usurp the powers of this State in the field of welfare secrecy. We will prove again to these willful bureaucrats that our people will not lie down like dogs before any threats of reprisal from the Federal Government.

Governor Craig expressed concisely the independent spirit of all Hoosier citizens when he stated, "Indiana welcomes the opportunity of being an historic test case to limit the degree of Federal intervention in the individual States. . . . Carried to its logical extreme, this means that every employee of a State department is subject to Federal control. If any State can be so intimidated, then indeed, we will have seen the destruction of a vital part of the constitutional sovereignty of the separate States."

The individual liberties of our people are also involved. For if Federal aid means Federal control in this instance, why is it not also possible for Federal bureaucrats to prohibit political activity by any individual receiving Federal aid—those on veterans' pensions, on social security, or on welfare?

The charges of the Civil Service Commission involve political activities that are subject only to Indiana law. It is none of the Commission's business how we regulate political activities in Indiana. The Federal Government has no constitutional right whatsoever to interfere with such affairs. It makes no difference at all whether one approves or disapproves of the activities involved. The

issue is simply, is Indiana a sovereign State, or isn't it?

Consequently we suggest to Governor Craig that he deliberately ignore the Commission's peremptory demand that he reply in 15 days. We suggest that he offer no cooperation in any investigation the Commission might want to make. Should the Commission rule that the four State employees are guilty and demand that the Governor remove them, he should ignore that demand. And if the Commission persists, let him challenge the Federal Government to remove these people itself and see what happens. No Federal bureaucracy can tell any governor of any State whom he shall hire or fire or when.

The State of Indiana must protect the rights of its citizens to conduct their activities as they chose under their own constitution. When these rights are challenged, we must resist with every resource at our command. For as one American President, Woodrow Wilson, once said, "The history of liberty is a history of resistance. The history of liberty is a history of the limitation of governmental power, not the increase of it."

FARMER COOPERATIVES

(Mr. McINTIRE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a copy of the policy statements recently adopted by the National Council of Farmer Cooperatives.)

Mr. McINTIRE. Mr. Speaker, membership in our country's farmer cooperatives is a history of growth. This consideration is brought into perspective when it is realized that—in the short span of 10 years—membership in these institutions has been almost doubled. Today's total membership figure is 7.5 million, this figure representing approximately 3 million individual farmers, some of whom belong to more than one farm cooperative.

And as membership in farmer cooperatives has grown, so has the business transacted by these organizations. In the 1952-53 period, for instance, business transacted by farmer cooperatives—not including that between cooperatives—was \$9.5 billion; this reflected a gain of \$100 million over the 1951-52 period.

In Chicago, Ill.—during its 26th annual meeting extending from January 5 to January 8, 1955—the National Council of Farmer Cooperatives adopted policy statements pertaining to agriculture.

Because of the sensitive interrelationships existing between our agriculture, our domestic economy, and our foreign interests and relations, Members of Congress and others interested in agriculture would do well to give these policy statements careful and serious study.

The policy statements follow:

POLICY STATEMENTS ADOPTED BY THE DELEGATE BODY, NATIONAL COUNCIL OF FARMER COOPERATIVES, 26TH ANNUAL MEETING, EDGEWATER BEACH HOTEL, CHICAGO, ILL., JANUARY 5-8, 1955.

THE PRICE-COST SQUEEZE

With constant increases in costs of production, distribution, and marketing, farmers have suffered losses in earning power and in economic stability to an extent which is cause for national concern.

Through maximum use of their own cooperatively owned, managed, and financed business organizations, farmers can make significant progress toward alleviating the present cost-price squeeze.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued February 2, 1955
For actions of February 1, 1955
84th-1st, No. 17

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HIGHLIGHTS: Senate passed bills to continue Reorganization Act and Intergovernmental Relations Commission. Senate received President's health message. Senate received USDA proposed bill to eliminate ACP small-payments increase requirement. Sen. Carlson introduced and discussed bill to repeal REA state allotment formula. Sen. Young introduced bill providing 90% price supports on basics for 3 years. Sen. Martin introduced and discussed bill to extend and strengthen Water Pollution Act.

SENATE

1. REORGANIZATION. Passed with amendment H. R. 2576, to continue the Reorganization Act of 1949. Agreed to an amendment by Sen. Humphrey to continue the Act for two years (until Apr. 1, 1957) instead of three years (as passed by the House). (pp. 886-7).
2. INTERGOVERNMENTAL RELATIONS. Passed without amendment H. R. 2010, to continue the Commission on Intergovernmental Relations until June 30, 1955, and to provide for submission of its final report by that date (p. 886). This bill will now be sent to the President.
3. SOIL CONSERVATION. Received from this Department a proposed bill to eliminate the provision in Sec. 8 (e) of the Soil Conservation and Domestic Allotment Act which requires that all ACP payments of less than \$200 be increased by a specified formula; to Agriculture and Forestry Committee (p. 859).
4. WATER POLLUTION. Received from HEW a proposed bill to extend and strengthen the Water Pollution Control Act; to Public Works Committee (p. 860).
5. HEALTH. Received from HEW a proposed bill to carry out the President's recommendations on health reinsurance, Government insurance of mortgage loans for construction of health facilities, grants to States for training of nurses,

etc.; to Labor and Public Welfare Committee (p. 860).

6. ~~WHEAT ALLOCATIONS~~. Received a N. Dak. Legislature resolution requesting the Secretary of Agriculture to suspend acreage controls on durum wheat during 1955 (p. 860).
7. ~~PRICE SUPPORTS~~. Sen. Langer inserted a constituent's letter favoring "90-percent parity on grains grown and a support on egg and cream prices" (. 879).
8. ~~HOUSING~~. Received the Budget Bureau's report on operations under Budget Circular No. A-45, requiring adequate rental rates on Government housing facilities (p. 860).
9. ~~APPROPRIATIONS; EXPENDITURES~~. Sen. Byrd inserted a report by the Joint Committee on Reduction of Nonessential Federal Expenditures showing appropriations, authorizations, expenditures, and unexpended balances for the executive branch of the Government as of June 30, 1954 (pp. 882-3).
10. ~~ROADS~~. Sen. Robertson discussed the Clay Commission's proposals for a 10-year Federal highway program, questioned the Federal Government's proposed program as an "assumed power", and stated we "should move cautiously in exercising it" (pp. 887-91).
11. ~~ADJOURNED~~ until Fri., Feb. 4. Legislative program for Fri., as announced by Sen. Clements: Various Senate resolutions, including extension of the time for the Foreign Relations Committee to study technical assistance and related programs, and providing additional funds for the Interior and Insular Affairs to study the accessibility of critical raw materials (p. 908).

HOUSE

12. ~~LANDS; MINERALS~~. The Interior and Insular Affairs Committee ordered reported H. R. 100, to permit mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development; H. R. 103, to authorize the Interior Department to make loans for the construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies; and H. R. 230, relating to acquisition and disposition of sand, stone, gravel, pumice, and cinders on national forest lands (p. D54).

ITEMS IN APPENDIX

13. ~~PERSONNEL; IMMIGRATION~~. Sen. Lehman inserted and commended the text of a radio broadcast discussing the problems of immigration and the present loyalty-security program and stating that "we figuratively burn at the stake Government servants who have performed no disloyal act" (p. A553).
14. ~~SCHOOL LUNCH~~. Sen. Thye inserted a constituent's letter requesting that the school-lunch program be continued and that more milk be used in this program (p. A555).

Personnel actions resulting from the special investigation of the Federal Housing Administration, April–November 1954—Continued

REMOVALS—Continued

Name	Title	Location	Date	Action
John W. Salmon	Supervisory appraiser	Los Angeles, Calif.	Nov. 26, 1954	Removed for purchasing home from firm having business before FHA at a price several thousand dollars below Veterans' Administration appraised value and for engaging in outside activity in violation of FHA policy.
Carl A. Brand	Chief underwriter	Kansas City, Mo.	Dec. 31, 1954	To be removed for engaging in outside activity in violation of the FHA policy.
Arthur I. Duffy	Construction inspector	New York, N. Y.	do	To be removed for accepting gratuities from persons having business before FHA.
William J. Loughran	Assistant chief construction examiner	Jamaica, N. Y.	do	To be removed for failure to comply with request to complete questionnaire.

RESIGNATIONS

Howard M. Murphy	Associate General Counsel	Washington, D. C.	Apr. 23, 1954	Resigned upon request for the good of the service. There was no allegation of criminal involvement.
John P. McGrath	Supervisory appraiser	Philadelphia, Pa.	Apr. 30, 1954	Resigned while under investigation for accepting gratuities from persons having business before FHA.
Wilmer Russell	Construction inspector	do	June 1, 1954	Resigned after receiving notice of proposed removal for accepting gratuities from persons having business before the FHA.
Hiram M. Cudahac	Chief underwriter	Albuquerque, N. Mex.	Aug. 19, 1954	Resigned after being questioned by investigative staff regarding supervisory deficiencies.
James B. Kiser	Construction examiner	do	Sept. 10, 1954	Resigned after being questioned concerning receipt of gratuities from persons having business before FHA.
J. Marvin Wade	Director	Little Rock, Ark.	Sept. 21, 1954	Resigned during investigation of outside activities in violation of FHA policy.
John F. Pratt	Assistant Director	Oklahoma City, Okla.	Sept. 17, 1954	Resigned after being questioned concerning the receipt of gratuities and special favors from persons having business before FHA.
Kenneth Mitchell	Chief land planner	Los Angeles, Calif.	Aug. 20, 1954	Resigned after being questioned concerning the purchase of a home from firms having business before FHA.
Horace I. Moses	Construction examiner	do	Oct. 15, 1954	Resigned after being questioned concerning outside activity in violation of FHA policy.
Maurice Golden	Assistant chief construction examiner	do	Sept. 20, 1954	Resigned after receiving notice of proposed removal for accepting gratuities from persons having business before FHA.
Francis J. Thieffels	Assistant Director	Grand Rapids, Mich.	Oct. 1, 1954	Resigned after being questioned concerning falsification of an official document.
Frank B. Davenport	Construction cost examiner	do	Oct. 19, 1954	Resigned after being questioned concerning outside employment in violation of FHA policy.
T. Maurine Anderson	Office manager	do	Nov. 19, 1954	Resigned after being questioned concerning falsification of an official document.

SUSPENSIONS

Harold A. Mather	Construction inspector	Phoenix, Ariz.	July 26, 1954	Suspended 30 days for the acceptance of gratuities.
Peter J. Fallon	Executive assistant	Newark, N. J.	Oct. 10, 1954	Suspended 14 days for the acceptance of gratuities.
Ralph C. Eckert	Construction inspector	Portland, Ore.	Nov. 29, 1954	Suspended 3 days for incorrect statements on application for employment.

REPRIMANDS¹

Warren S. Pletz	Construction examiner	Newark, N. J.	Sept. 23, 1954	Reprimanded for the acceptance of gratuities.
John J. Crotty	Attorney adviser	do	Sept. 10, 1954	Do.
Landis H. Litehfield	Administrative officer	Richmond, Va.	Sept. 8, 1954	Do.
Leo A. Petz	Assistant chief underwriter	Detroit, Mich.	Oct. 19, 1954	Do.
Floyd W. Fritcher	Construction examiner	do	Sept. 8, 1954	Do.
Myron F. Marrs	Real property officer	do	Sept. 23, 1954	Do.
Wendell O. Edwards	Director	do	Oct. 19, 1954	Do.
George E. Born	Chief underwriter	Pittsburgh, Pa.	Sept. 17, 1954	Do.
Cari C. White	Assistant chief construction examiner	Des Moines, Iowa	Oct. 19, 1954	Do.
Lewis DeMarco	Loan examiner	do	do	Do.
Harold B. McBride	Assistant Director	do	do	Reprimanded for allowing employees under his supervision to accept gratuities.
Charles O. Lamond	Chief construction examiner	do	do	Reprimanded for the acceptance of gratuities.
Daniel H. Madigan	Construction examiner	New York, N. Y.	Sept. 8, 1954	Do.
Leroy W. Pierce	Project procedure representative	do	Nov. 17, 1954	Do.
Alfred Raven	Chief construction examiner	Grand Rapids, Mich.	Oct. 19, 1954	Do.
John W. Kauffman	Supervisory appraiser	Jacksonville, Fla.	Oct. 29, 1954	Reprimanded for failure to adhere to FHA policy with respect to reporting outside activities.
C. Crow Batson	Chief construction examiner	Charleston, W. Va.	Nov. 9, 1954	Reprimanded for the acceptance of gratuities.
Ralph E. Renn	do	Camden, N. J.	Oct. 25, 1954	Do.
John M. Corcoran	Appraiser	do	do	Reprimanded for incorrect statements on application for employment.
Philip A. McCarthy	Supervisory appraiser	Memphis, Tenn.	do	Reprimanded for incomplete answers on questionnaire concerning receipt of gratuities.
Richard J. Regan	Chief construction examiner	do	do	Do.
John R. Burton	Appraiser	Greensboro, N. C.	Oct. 27, 1954	Reprimanded for the acceptance of gratuities.
Charles D. MacKintosh	Construction examiner	do	do	Do.
Walter C. Foiger	Appraiser	do	Oct. 23, 1954	Do.
Taylor Kennerly	do	do	Oct. 27, 1954	Reprimanded for failure to submit written statement upon obtaining a loan under sec. 2 of title I of the National Housing Act and the acceptance of gratuities.
J. Guy Arrington	Director	Portland, Ore.	Nov. 4, 1954	Reprimanded for the acceptance of gratuities.
W. Withers Adiekes	Assistant director	Columbia, S. C.	do	Do.
Henry A. Wittekind	Construction examiner	Jamaica, N. Y.	Nov. 24, 1954	Reprimanded for failure to submit questionnaire within specified time limit.
Isidore S. Rosen	Construction inspector	do	do	Reprimanded for soliciting and accepting discarded materials from projects on which he served as construction inspector.

¹ In instances where an employee was reprimanded for accepting gratuities from persons having business before FHA, the gratuity was of minor value and there was no evidence of intent to unduly influence official actions.

PAYMENT OF COMPENSATION TO EMPLOYEES OF FORMER SEN- ATORS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate now consider the resolutions listed on the calendar from No. 9 to No. 14, inclusive, embracing Senate Resolutions 50, 51, 52, 53, 54, and 48.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. I move the consideration of the resolutions.

The motion was agreed to, and the Senate proceeded to consider the resolution (S. Res. 50) to pay compensation for a certain period to employees of former Senator Robert W. Upton;

The resolution (S. Res. 51) to pay compensation for a certain period to employees of former Senator Ernest S. Brown;

The resolution (S. Res. 52) to pay compensation for a certain period to employees of former Senator Thomas A. Burke;

The resolution (S. Res. 53) to pay compensation for a certain period to employees of former Senator Edward D. Crippa;

The resolution (S. Res. 54) to pay compensation for a certain period to employees of former Senator Alton Lennon; and

The resolution (S. Res. 48) to pay compensation for a certain period to employees of former Senator Eva Bowring.

Mr. GREEN. Mr. President, these six resolutions were considered and acted upon favorably by the Committee on Rules and Administration, and they come to the calendar with the approval of that committee. They are all similar in nature; that is, that a gratuity is awarded to the employees of a Senator who ceases to hold office, because a good deal of their time is entirely taken in closing the office and preparing it for his successor.

I read the names of the former Senators to whom the resolutions relate:

Former Senator Robert W. Upton, former Senator Ernest S. Brown, former Senator Thomas A. Burke, former Senator Edward D. Crippa, former Senator Alton Lennon, and former Senator Eva Bowring.

The amount of gratuity in each case is determined by the salary received at the time the Senator left office, and is for 30 days thereafter. If, in the meantime, an employee takes another position, he is required to make an affidavit to that effect, and the amount he receives is deducted from the amount he is awarded.

Mr. President, I move that the six resolutions be agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

The resolutions agreed to en bloc are as follows:

Senate Resolution 50

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by

former Senator Robert W. Upton, who were carried on the Senate payroll on November 7, 1954, salary for services in his office for the period November 8, 1954, through December 7, 1954, or for so much of that time through December 7, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 7, 1954.

Senate Resolution 51

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate to the administrative and clerical assistants appointed by former Senator Ernest S. Brown, who were carried on the Senate payroll on December 1, 1954, salary for services in his office for the period December 2, 1954, through December 31, 1954, or for so much of that time through December 31, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of December 1, 1954.

Senate Resolution 52

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate to the administrative and clerical assistants appointed by former Senator Thomas A. Burke, who were carried on the Senate payroll on December 2, 1954, salary for services in his office for the period December 3, 1954, through January 1, 1955, or for so much of that time through January 1, 1955, as they were not otherwise gainfully employed, at their respective rates of salary as of December 2, 1954.

Senate Resolution 53

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Edward D. Crippa, who were carried on the Senate payroll on November 28, 1954, salary for services in his office for the period November 29, 1954, through December 28, 1954, or for so much of that time through December 28, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 28, 1954.

Senate Resolution 54

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Alton Lennon, who were carried on the Senate payroll on November 28, 1954, salary for services in his office for the period November 29, 1954, through December 28, 1954, or for so much of that time through December 28, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 28, 1954.

Senate Resolution 48

Resolved, That the Secretary of the Senate is authorized and directed to pay, out of the contingent fund of the Senate, to the administrative and clerical assistants appointed by former Senator Eva Bowring, who were carried on the Senate payroll on November 7, 1954, salary for services in her office for the period November 8, 1954, through December 7, 1954, or for so much of that time through December 7, 1954, as they were not otherwise gainfully employed, at their respective rates of salary as of November 7, 1954.

AMENDMENT OF ACT CREATING COMMISSION ON INTERGOVERN- MENTAL RELATIONS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 5, Senate bill 539.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 539) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, I move that an identical House bill (H. R. 2010) be substituted for the Senate bill and be now considered. The House bill is Calendar No. 20. After action on the House bill, I shall move that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 2010), an act to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations.

The PRESIDING OFFICER. The House bill is open to amendment. If there be no amendment, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY. I now move that Senate bill 539 be indefinitely postponed. The motion was agreed to.

AMENDMENT OF REORGANIZATION ACT OF 1949

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 6, Senate bill 613, a bill to further amend the Reorganization Act of 1949.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 613) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, Senate bill 613 provides for a 2-year extension of the Reorganization Act under which plans have been transmitted by the President to the Congress for the reorganization of certain divisions and functions of the executive departments of the Government. The House passed H. R. 2576, providing for a 3-year extension. It is the unanimous view of the Senate Committee on Government Operations that a 2-year extension is all we should countenance or support.

Mr. McCLELLAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. McCLELLAN. Mr. President, I support the Senate bill. I know of no reason for extending the act for 3 years instead of for 2 years. By extending it 2 years it will extend it for some 3 or 4 months into the new administration,

which will take office in 1957. During those months the new administration, whether it be the present one or some other administration, will have an opportunity to express its views on reorganization matters. I do not know why the act was extended by the House for 3 years.

The President requested an extension for only 2 years. That has been the general consensus of the Hoover Commission of which I am a member, and I know their general views about it. I know of no reason for extending the act for a 3-year period. Therefore I urge that the Senate bill be passed.

Mr. HUMPHREY. Mr. President, it now appears that it would be advisable for the Senate to act on House bill 2576, Calendar No. 19, rather than on the Senate bill, in order to avoid a conference and get immediate action. Therefore, Mr. President, I ask unanimous consent that House bill 2576, Calendar No. 19, be substituted for Senate bill 613, and be now considered.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the Senate proceeded to consider the bill (H. R. 2576).

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the date of April 1, 1958, be amended to read "April 1, 1957."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2576) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 613 will be indefinitely postponed.

The title of House bill 2576 will be appropriately amended.

HIGHWAY FINANCING BY THE FEDERAL GOVERNMENT

Mr. ROBERTSON. Mr. President, while the prediction of Lord Macaulay that our Constitution would prove to be all sail and no anchor has not yet been fulfilled; weakening blows have been struck the anchor chain during the intervening 98 years since that statement was made. The Federal Government now blithely undertakes projects which the two patron saints of the Democratic Party, Jefferson and Jackson, were firmly convinced the Government had no power under the Constitution to undertake, and the Congress is being constantly confronted with proposals to expand powers which were merely assumed in the first instance.

The 100th anniversary of the birth of George Washington occurred during the administration of Andrew Jackson and the Congress provided for a suitable celebration. The distinguished Senator from Massachusetts, Daniel Webster, served as chairman and made the principal speech. After extolling the personal characteristics of the immortal Washington and indicating how the 100 years since his birth had been the most momentous century of history, he attributed the contribution that the United States had made to the 19th century to the practical application of the fundamental principles of political and economic freedom which had been espoused by George Washington and embodied in a written Constitution.

In an eloquent appeal for the preservation of that Constitution, referring to its division of powers among the Federal Government, the States, and the people as the "well-proportioned columns of constitutional liberty" and saying "if these columns fall they will be raised not again," Daniel Webster remarked:

The world at this moment is regarding us with a willing but something of a fearful admiration. Its deep and awful anxiety is to learn whether free states may be stable, as well as free; whether popular power may be trusted, as well as feared; in short, whether wise, regular, and virtuous self-government is a vision for the contemplation of theorists or a truth established, illustrated, and brought into practice in the country of Washington.

Gentlemen, for the earth which we inhabit, and the whole circle of the sun, for all the unborn races of mankind, we seem to hold in our hands, for their weal or woe, the fate of this experiment. If we fail, who shall venture the repetition? If our example shall prove to be one, not of encouragement but of terror, not fit to be imitated but fit only to be shunned, where else shall the world look for free models? If this great western sun be struck out of the firmament, at what other fountain shall the lamp of liberty hereafter be lighted? What other orb shall emit a ray to glimmer, even, on the darkness of the world?

JUST AS TRUE TODAY

Mr. President, to me, that eloquent tribute to what the world was expecting of America in the way of leadership in 1832 is just as true today. That our unparalleled prosperity, as well as our freedom and happiness, has been due in a large measure to our unique form of government cannot be questioned. At a time when our physical security is seriously threatened from abroad by communism and our fiscal security threatened at home because of debts already incurred and pending proposals to still further increase them, it well behooves us to review the concept of the Founding Fathers of what Webster called American constitutional liberty. Webster said:

The domestic policy of Washington found its polestar in the avowed objects of the Constitution itself. He sought so to administer that Constitution as to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty. These were objects interesting in the highest degree to the whole country, and his policy embraced the whole country.

It must be frankly admitted, however, that during the formative years from 1789 to 1837 there were serious differences of opinion as to what the Constitution authorized the Federal Government to do in the domestic field and what it did not. Naturally, the subject of internal improvements such as roads and canals in the early days of the Government became the subject of heated debate. The recent proposal of the Clay Commission that the Federal Government embark upon a roadbuilding program involving an expenditure of more than \$100 billion in the next decade was the occasion for me to refresh my memory of the position taken by some of the first Presidents on that subject.

APPLICATION TO HIGHWAY FINANCING

Their warnings, as I shall point out in quoting their statements, seem especially apt if we are to adopt new principles of highway financing which not only would enlarge the control of the central Government over paths of commerce within the States, but which would at the same time lessen the financial control of the elected representatives of the people over this program.

Before reviewing that history, however, I wish to make clear that I speak from an attitude similar to that of Andrew Jackson in 1830 when, in a message to the Congress vetoing a public-road bill, he said:

Sincerely friendly to the improvement of our country by means of roads and canals, I regret that any difference of opinion in the mode of contributing to it should exist between us; and if in stating this difference I go beyond what the occasion may be deemed to call for, I hope to find an apology in the great importance of the subject, an unfeigned respect for the high source from which this branch of it has emanated and an anxious wish to be correctly understood by my constituents in the discharge of all my duties.

While it is well known to my Virginia friends, many of my distinguished colleagues in the Senate may not know that one of my major political undertakings in Virginia was the improvement of our State highways. In the summer of 1915, when I first announced my candidacy for the Virginia State Senate, I announced a platform in which the principal plank was advocacy of a State highway system for Virginia and a State-financed program to construct it.

During my first term in the State senate, I, along with my deskmate, Senator HARRY F. BYRD, was a copatron of the bill to establish this State system; and when the bill became law, Senator BYRD and I were appointed by the governor as members of a commission to lay out the highway system. The report of that commission was adopted by the general assembly 2 years later.

Since there were at that time no State funds for highway construction, I sponsored a bill—subsequently known as the Robertson road law—which authorized the State to repay out of general State funds, when available, but without interest, any money advanced by a county for construction of roads within the State highway system.

Such slow progress was made during the first 2 years of operation under that law, that a bill was introduced in the assembly to submit to the voters a proposal for a State bond issue for highway construction. That bill passed the house, but when it reached the senate, Senator HARRY F. BYRD organized a fight against it, and delegated to me the chief responsibility for presenting our objections to the senate.

We were defeated in the senate by a majority of one vote; but when the issue went to the voters of the State, for ratification in the general election in 1923, Senator BYRD led the fight against it, and it was defeated by a substantial majority. The next session of the general assembly imposed a gas tax and an automobile license tax, and Virginia has proceeded ever since on that pay-as-you-go basis.

With all due deference to other States which have adopted other systems of highway financing, it is my conviction that Virginia's present system of farm-to-market roads, as well as arterial highways, gives solid proof of the argument we offered three decades ago that we could get good roads for less money by paying for them as they were built. The agreement of Virginians generally with that viewpoint was indicated in the fall of 1953, when one of the major issues in the gubernatorial campaign was again a State bond issue for roads; and the Republican who advocated the bond issue was defeated by the Democrat who opposed it.

My personal views on the subject of methods which should be used for improving our national highway system naturally are influenced by this background of experience in my own State.

I also have been influenced, however, by the thinking of former Virginians who played leading parts in national affairs, and who felt, as Andrew Jackson did, when he told the Congress in 1834:

I am not hostile to internal improvements, and wish to see them extended to every part of the country. But I am fully persuaded, if they are not commenced in a proper manner, confined to proper objects, and conducted under an authority generally conceded to be rightful, that a successful prosecution of them cannot be reasonably expected.

THOMAS JEFFERSON'S VIEWS

In his second inaugural address in 1805, Thomas Jefferson suggested that when the Government's debt had been redeemed, the revenue from tariffs which would then be released might be divided among the States, "and a corresponding amendment of the Constitution be applied in time of peace to rivers, canals, roads, arts, manufactures, education, and other great objects within each State."

The following year, in his sixth annual message to the Congress, Jefferson again indicated his belief that new constitutional authority would be needed if funds collected by the Federal Government were to be used for improvements within the States. Referring to taxes on "foreign luxuries, purchased by those only who are rich enough to afford themselves the use of them," he said:

Their patriotism would certainly prefer its continuance and application to the great

purposes of the public education, roads, rivers, canals, and such other objects of public improvement as it may be thought proper to add to the constitutional enumeration of Federal powers.

Jefferson added:

I suppose an amendment to the Constitution, by consent of the States, necessary, because the objects now recommended are not among those enumerated in the Constitution, and to which it permits public moneys to be applied.

In his last annual message to the Congress in November of 1808 when Jefferson again raised the question of what should be done with surplus revenue in future years, he said:

While uncertain of the course of things, the time may be advantageously employed in obtaining the powers necessary for a system of improvements should that be thought best.

WHAT MADISON SAID

An indication that James Madison, who followed Jefferson in the Presidency, was concerned about the question of Federal authority to sponsor internal improvements is found in his seventh annual message to the Congress in 1815. Madison then said:

Among the means of advancing the public interest the occasion is a proper one for recalling the attention of Congress to the great importance of establishing throughout our country the roads and canals which can best be executed under the national authority. No objects within the circle of political economy so richly repay the expense bestowed on them; there are none the utility of which is more universally ascertained and acknowledged; none that do more honor to the Government whose wise and enlarged patriotism duly appreciates them. * * *

Whilst the States individually, with a laudable enterprise and emulation, avail themselves of their local advantage by new roads, by navigable canals, and by improving the streams susceptible of navigation, the general Government is the more urged to similar undertakings, requiring a national jurisdiction and national means, by the prospect of thus systematically completing so inestimable a work; and it is a happy reflection that any defect in constitutional authority which may be encountered can be supplied in a mode which the Constitution itself has providently pointed out.

Madison's final message to Congress the following year contained a similar passage, inviting attention "to the expediency of exercising their existing powers and, where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals."

WARNINGS FROM MONROE

The same note was sounded again in 1817 by James Monroe in his first inaugural address when he said:

Other interests of high importance will claim attention, among which the improvement of our country by roads and canals, proceeding always with a constitutional sanction, holds a distinguished place.

In his first annual message in December of that same year Monroe gave a more explicit statement of his philosophy on this subject. After speaking of the advantages to be derived from good roads and canals because of the extent of territory within the United States he said:

A difference of opinion has existed from the first formation of our Constitution to

the present time among our most enlightened and virtuous citizens respecting the right of Congress to establish such a system of improvement. * * * Disregarding early impressions I have bestowed on the subject all the deliberation which its great importance and a just sense of my duty required, and the result is a settled conviction in my mind that Congress does not possess the right. It is not sustained in any specific powers granted to Congress, nor can I consider it incidental to or a necessary means, viewed on the most liberal scale, for carrying into effect any of the powers which are specifically granted. In communicating this result I cannot resist the obligation which I feel to suggest to Congress the propriety of recommending to the States the adoption of an amendment to the Constitution which shall give to Congress the right in question. In cases of doubtful construction, especially of such vital interest, it comports with the nature and origin of our institutions and will contribute much to preserve them, to apply to our constituents for an explicit grant of the power. We may confidently rely that if it appears to their satisfaction that the power is necessary, it will always be granted.

Monroe's advice regarding a clarification of constitutional authority was ignored; and 5 years later, in 1822, he received a bill passed by the Congress for preservation and repair of the Cumberland Road, which had been started during Jefferson's administration. He vetoed it with a message stating that although he approved the policy of building such a road, he was "under a conviction that Congress does not possess the power under the Constitution to pass such a law."

This Cumberland Road bill had in common with the recent report of the Clay Commission a provision relating to collection of tolls for highway use. The comments of President Monroe on this practice and where it might lead are, I believe, worthy of our consideration. He said:

A power to establish turnpikes with gates and tolls, and to enforce collection of tolls by penalties, implies a power to adopt and execute a complete system of internal improvement. A right to impose duties to be paid by all persons passing a certain road, and on horses and carriages, as is done by this bill, involves the right to take the land from the proprietor on a valuation and to pass laws for the protection of the road from injuries, and if it exists as to one road it exists as to any other, and to as many roads as Congress may think proper to establish.

A right to legislate for one of these purposes is a right to legislate for the others. It is a complete right of jurisdiction and sovereignty for all the purposes of internal improvement, and not merely the right of applying money under the power vested in Congress to make appropriations, under which power, with the consent of the States through which this road passes, the work was originally commenced, and has been so far executed.

I am of the opinion that Congress does not possess this power; that the States individually cannot grant it, for although they may assent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty by special compacts with the United States. This power can be granted only by an amendment to the Constitution and in the mode prescribed by it.

Monroe then reviewed the powers specifically granted by the Constitution or

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued February 4, 1955
For actions of February 3, 1955
84th-1st, No. 19

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HIGHLIGHTS: House committee ordered reported durum wheat acreage increase bill. House conferees were appointed on Reorganization bill. House committee reported selective-service extension bill. Rep. Brown, Ga., spoke in favor of increase in cotton allotment and urged greater effort to sell surplus commodities abroad.

HOUSE

1. WHEAT. The Agriculture Committee ordered reported without amendment S. 1145, to amend the Agricultural Adjustment Act of 1938 so as to provide for increased durum wheat acreage allotments and marketing quotas for 1955 (p. D64).
2. REORGANIZATION. House conferees were appointed on H. R. 2576, to continue the Reorganization Act of 1949 (p. 937). Senate conferees have not yet been appointed.
3. SELECTIVE SERVICE. The Armed Services Committee reported with amendment H. R. 3005, to extend selective service for 4 years until July 1, 1959, etc. (H. Rept. 19)(p. 944).
4. PERSONNEL. The House Administration Committee reported without amendment H. R. 3406, to permit and assist Federal personnel and their families to vote (H. Rept. 20)(p. 944).
5. COTTON ALLOTMENTS; SURPLUS COMMODITIES. Rep. Brown, Ga., spoke in favor of his bill, H. R. 23, to increase the 1955 cotton acreage allotment up to the level provided by the 1954 law for each State whose 1955 allotment is below this level, and urged greater effort to sell agricultural commodities abroad (pp. 935-6).

6. COMMITTEE ASSIGNMENTS. Following is a House Agriculture Committee release dated Feb. 2:

"Completing organization of the House Committee on Agriculture for its work in the 84th Congress, Chairman Harold D. Cooley, Democrat of North Carolina, announced today the creation of sixteen Subcommittees to study the varied operations and problems of Agriculture.

"Chairman Cooley and Representative Clifford R. Hope, ranking minority member of the full committee, will serve as members of all subcommittees.

"Special action subcommittees were named as follows:

"Conservation and Credit - Rep. Poage (D-Tex.), Chairman, and Reps. Grant (D-Ala.), Bass (D-Tenn.), Hill (R-Colo.), and McIntire (R-Me.).

"Domestic Marketing - Rep. Grant (D-Ala.), Chairman, and Reps. Hagen (D-Calif.), Anfuso (D-N.Y.), Knutson (D-Minn.), Belcher (R-Okla.), Williams (R-N.Y.), and King (R-Pa.).

"Departmental Administration and Crop Insurance - Rep. McMillan (D-S.C.), Chairman, and Reps. Jones (D-Mo.), Watts (D-Ky.), Dague (R-Pa.) and Laird (R-Wisc.).

"Equipment, Supplies and Manpower - Rep. Gathings (D-Ark.), Chairman, and Rep. Abbitt (D-Va.), Thompson (D-Tex.), Hoeven (R-Iowa), and Simpson (R-Ill.).

"Research and Extension - Rep. Abernethy (D-Miss.), Chairman, and Reps. Polk (D-Ohio), Johnson (D-Wisc.), Jennings (D-Va.), Andresen (R-Minn.), Harrison (R-Neb.), and Dixon (R-Utah).

"Foreign Agricultural Operations - Rep. Poage (D-Tex.), Chairman, and Reps. Albert (D-Okla.), Jones (D-Mo.), Matthews (D-Fla.), Hoeven (R-Iowa), Harvey (R-Ind.), and Lovre (R-S.D.).

"Mr. Cooley created ten Commodity Subcommittees, with the permanent membership listed below. By formal action the Committee provided that all members of the full committee are members of any commodity subcommittee while in attendance at such meeting. These subcommittees follow:

"Livestock and Feed Grains - Rep. Poage (D-Tex.), Chairman, and Reps. Albert (D-Okla.), Jennings (D-Va.), Matthews (D-Fla.), Hill (R-Colo.), Hoeven (R-Iowa), and Harvey (R-Ind.).

"Forest Products - Rep. Grant (D-Ala.), Chairman, and Reps. McMillan (D-S.C.), Matthews (D-Fla.), McIntire (R-Me.), and Laird (R-Wisc.).

"Cotton - Rep. Gathings (D-Ark.), Chairman, and Reps. Poage (D-Tex.), Abernethy (D-Miss.), Simpson (R-Ill.), and Belcher (R-Okla.).

"Peanuts - Rep. McMillan (D-S.C.), Chairman, and Reps. Poage (D-Tex.), Grant (D-Ala.), Albert (D-Okla.), Lovre (R-S.D.), Harrison (R-Neb.), and Belcher (R-Okla.).

"Dairy Products - Rep. Abernethy (D-Miss.), Chairman, and Reps. Polk (D-Ohio), Johnson (D-Wisc.), Knutson (D-Minn.), Andresen (R-Minn.), Williams (R-N.Y.), and Laird (R-Wisc.).

"Wheat - Rep. Albert (D-Okla.), Chairman, and Reps. Watts (D-Ky.), Bass (D-Tenn.), Jennings (D-Va.), Hill (R-Colo.), Lovre (R-S.D.), and Belcher (R-Okla.).

"Tobacco - Rep. Abbitt (D-Va.), Chairman, and Reps. Polk (D-Ohio), Watts (D-Ky.), Bass (D-Tenn.), Hoeven (R-Iowa), Dague (R-Pa.), and Laird (R-Wisc.).

"Poultry and Eggs - Rep. Polk (D-Ohio), Chairman, and Reps. Thompson (D-Tex.), Anfuso (D-N.Y.), Johnson (D-Wisc.), Harrison (R-Neb.), Dixon (R-Utah), and McIntire (R-Me.).

"Rice - Rep. Thompson (D-Tex.), Chairman, and Reps. Gathings (D-Ark.), Hagen (D-Calif.), Williams (R-N.Y.), and King (R-Pa.).

"Soybeans and Oilseeds - Rep. Jones (D-Mo.), Chairman, and Reps. Abernethy (D-Miss.), Hagen (D-Calif.), Simpson (R-Ill.), and Harvey (R-Ind.).

3005 carrying out the agreement made with the gentleman from Massachusetts, the distinguished minority leader, that our colleagues can then proceed on their commitments until the following Wednesday.

There will be no business on Thursday or Friday. I expect, of course, to ask unanimous consent that the House go over from Thursday until the following Monday next week.

Monday: No business. If there is any business available to be brought up the understanding is, as I stated yesterday, that it can be scheduled for a week from Tuesday, but if there is any rollcall as distinguished from a quorum call, the rollcall will go over until the following day, Wednesday.

Mr. MARTIN. I appreciate the gentleman's information.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING REORGANIZATION ACT OF 1945

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DAWSON of Illinois, HOLFIELD, McCORMACK, HOFFMAN of Michigan, and BROWN of Ohio.

HARVEY MATUSOW

(Mr. WALTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALTER. Mr. Speaker, it has just been announced that a man by the name of Matusow who testified before several congressional committees, is about to publish a book.

It was my fortune to see part of the manuscript. I am thoroughly convinced that this man has always been a Communist planted by the Communist conspiracy for the purpose of appearing before congressional committees in order to make an attempt to discredit them, thus damaging our democratic institutions.

The whole thing is in the best traditions of the Soviet NKVD, top specialists in planting double agents.

It seems to me that certain segments of the press and certain commentators who are now taking up that double agent's case might do well to examine his book—a true brainwash product—before they go way out on the limb. The nauseating mental meanderings of this man, now ready to be served to the public in print, provide positive proof that he has been placed in the position of a professional witness in order to discredit committees of Congress which are charged with the responsibility of exposing the Communist international conspiracy.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. HOFFMAN of Michigan. I understand, then, that in the gentleman's opinion this fellow was planted there for the purpose of discrediting the committee and its activities?

Mr. WALTER. There is no question about it.

LAKE MICHIGAN WATER DIVERSION BILL

(Mr. O'HARA of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'HARA of Illinois. Mr. Speaker, all Members of this body from the metropolitan Chicago area, both Democratic and Republican, have joined in the introduction of a Lake Michigan water diversion bill. This is along the lines of the bill passed by the 83d Congress and vetoed by the President. What changes there are in the 1955 bill from the 1954 bill are calculated to meet the main objections of the veto message. The bill as now drawn, approved and sponsored by all Democratic Members and all Republican Members from our area meets every reasonable and valid argument previously raised in opposition. As there is no good and honest reason why anyone should not support the measure, we expect its early enactment by an almost unanimous vote.

On motion of the gentlewoman from Illinois [Mrs. CHURCH] and unanimously adopted by a bipartisan conference of Chicago area members, Congressman O'BRIEN was delegated to lead the fight for this legislation of vital importance to the entire Middle West and in not inconsiderable measure to the entire Nation. H. R. 3210 is the bill introduced by Congressman O'BRIEN. H. R. 3211 to 3225 are companion bills, sponsored by Congresswoman CHURCH and Congressmen BOWLER, BOYLE, DAWSON, GORDON, GRAY, HOFFMAN, KLUCZYNSKI, MACK, McVEY, MURRAY, O'HARA, PRICE, SHEEHAN, and YATES. From the names listed it will be seen that this is in all truth a bipartisan approach, both parties equally and all members equally to share what credit many result.

In the entire absence of any good and valid reason why Chicago and the Middle West should be denied the benefit of this sorely needed relief, the lake carriers have resorted to name calling and to the making of false and ridiculous statements deeply resented by the peo-

ple of Chicago and which the press of Chicago is not permitting to go unnoticed.

Mr. Speaker, I am commissioned by the distinguished gentleman from Illinois [Mr. O'BRIEN] to ask unanimous consent in behalf of all the Members, Democratic and Republican, of our area to include in my remarks, an editorial from the Chicago American of February 2, 1955. This virile editorial, forthrightly presenting the facts and the truth, knocks the tirade of the lake carriers into a cocked hat. I join with my colleague and dean [Mr. O'BRIEN] and all other Members from our area, both Democratic and Republican, in urging its careful and thoughtful reading in order to be informed of the real facts when H. R. 3210 reaches the floor of the House. The editorial follows:

SHORT OF FACT

Senator WILEY, of Wisconsin, inserted in the CONGRESSIONAL RECORD last week a violent statement in which he described Chicago's effort to increase diversion of water from Lake Michigan into the Illinois Waterway as a "steal."

The Senator's statement indicated that he doesn't really know much about the subject.

He proclaimed, indignantly, that Chicago should not ask Congress to authorize an increase in the flow but should try to get the Supreme Court to change the 1930 decision in which it limited diversion to 1,500 cubic feet a second. In going to Congress, he charges, we are making a political issue of something that should be settled judicially.

For his information, we went to Congress on the advice of the Supreme Court itself. The Court in its decision held that Chicago's remedy against the 1,500-foot limitation lay in persuading Congress to change it.

When Congress at the last session finally did relax the limit to the extent of granting Chicago 1,000 cubic feet a second more water on an experimental basis, Wisconsin and other Lake State politicians persuaded President Eisenhower to veto it.

In his statement of last week, Senator WILEY repeated one of the misrepresentations that were pressed upon the President to induce his veto. The Senator said the increase in diversion would be "for the benefit of a single community," meaning Chicago.

Actually, the increase, when it comes, will benefit the whole Nation, and in particular the entire Middle West, including Wisconsin and other Lake States.

The Illinois Waterway, into which the additional water would flow, is not a Chicago ditch, but an integral, important, and very long section of the great inland waterway that connects the Great Lakes and the Gulf of Mexico.

The added water would increase the channel's ability to carry its rapidly growing traffic, and the more commerce it carries the more it contributes to the general prosperity.

Senator WILEY ran into a little trouble in his effort to make it appear that owners of shore properties in Wisconsin would suffer from a lowering of lake levels if Chicago took out a little more water.

The Wisconsin shore owners, like others in Illinois, Michigan, and all around the Great Lakes, know the water is so high that it is washing away their land and undermining their buildings. Nevertheless, the Senator assured them that draining any of the surplus water away at Chicago "is actually contrary to their interests." He didn't say how.

At this point the Senator handed the ball to Harry C. Brockel, port director of Milwaukee, by introducing into the CONGRESSIONAL RECORD a report made by Brockel to Mayor Zeidler on January 21.

Brockel argued in this document that shore owners would not be helped by increased diversion at Chicago, because it would hardly reduce the water level at all. But, at the same time, he said lake shipping would be injured because the increased diversion would lower the lake so much that shiploads would have to be reduced.

Although he conceded that Chicago's sewage is all treated now, he said the Chicago Sanitary District wanted more water to dilute untreated sewage.

But the sanitary district's basic motive in asking for more water, he said, was to make a lot of money producing more electric current at the Lockport powerplant.

Brockel's object, we suppose, and Senator WILEY's too, was to divert attention from a charge made by a former superintendent of the Milwaukee disposal plant that Milwaukee dumps raw sewage into Lake Michigan from time to time in order to preserve the quality of a fertilizer it produces and sells.

Illinois will urge the increase again in the present Congress, and Representatives and Senators from other Midwestern States can serve their own constituents best by joining Illinois in the fight.

(Mr. O'HARA of Illinois asked and was given permission to revise and extend his remarks and to include an editorial from the Chicago American of February 2, 1955.)

INTERNATIONAL TRADE FAIR IN UNITED STATES

(Mr. FLOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLOOD. Mr. Speaker, I have a newspaper clipping which indicates that the United States is to take part in 20 international trade fairs this year, which is a very good idea. I have no objection to that. It could be 40 as far as I am concerned. But I wonder why the Secretary of Commerce or the responsible agency of Government does not provide for the establishment of such an international fair in this country?

There is no doubt that the Soviet nations and satellites make quite a point out of their propaganda in Europe especially, and it would occur to me that with this country participating in 20 or more international fairs it is about time that we take advantage of this great propaganda opportunity and this chance to display our wares in this country by inviting the nations of the world to an international fair in the United States of America upon occasion.

POLLUTION OF THE AIR AND STREAMS

(Mr. BYRNES of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BYRNES of Wisconsin. Mr. Speaker, I suspect that there is no congressional district in the country that does not have the problem in a greater or lesser degree of either pollution of the air or pollution of the streams, rivers,

and waters in the area. This has become a real problem in our country.

The President in his health message the other day called attention to the need for action in the field of abating air and stream pollution. In furtherance of the objective of attacking this problem and getting something done to abate this problem and to eventually correct it, I along with a number of other Members of this Congress have introduced a bill which will give impetus to the construction by private initiative of waste treatment facilities both to eliminate stream pollution and air pollution.

APPOINTMENT OF MEMBERS OF THE BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of title 10, sections 1055 and 1056, United States Code, the Chair appoints as members of the Board of Visitors to the United States Military Academy the following Members on the part of the House: Mr. TEAGUE, Texas; Mr. EVINS, Tennessee; Mr. JOHNSON, California; Mr. FORD, Michigan.

APPOINTMENT OF MEMBERS OF THE BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of title 34, sections 1083 and 1084, United States Code, the Chair appoints as members of the Board of Visitors to the United States Naval Academy the following Members on the part of the House: Mr. NATCHER, Kentucky; Mr. LANKFORD, Maryland; Mr. OSTERTAG, New York; Mr. O'HARA, Minnesota.

APPOINTMENT OF MEMBERS OF COMMITTEE ON THE OLIVER WENDELL HOLMES DEVISE

The SPEAKER. Pursuant to the provisions of Public Resolution No. 124, 75th Congress, the Chair appoints as members of the Committee on the Oliver Wendell Holmes Devise the following Members on the part of the House: Mr. McCORMACK, Massachusetts; Mr. McDOWELL, Delaware; Mr. WIGGLESWORTH, Massachusetts.

APPOINTMENT OF MEMBERS OF THE BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of title 46, section 1126c, United States Code, the Chair appoints as members of the Board of Visitors to the United States Merchant Marine Academy the following Members on the part of the House: Mr. KEOGH, New York; Mr. DEROUNIAN, New York.

APPOINTMENT OF MEMBERS OF THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of title 14, section 194, United

States Code, the Chair appoints as members of the Board of Visitors to the United States Coast Guard Academy the following members on the part of the House: Mr. GARY, Virginia; Mr. DORN, New York.

APPOINTMENT OF MEMBERS OF THE MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of title 16, section 175a, United States Code, the Chair appoints as members of the Migratory Bird Conservation Commission the following Members on the part of the House: Mr. PRESTON, Georgia; Mr. ANDRESEN, Minnesota.

APPOINTMENT OF MEMBERS OF THE FEDERAL RECORDS COUNCIL

The SPEAKER. Pursuant to the provisions of title 44, section 394, United States Code, the Chair appoints as members of the Federal Records Council the following Members on the part of the House: Mr. STAGGERS, West Virginia; Mr. MILLER, Maryland.

APPOINTMENT OF MEMBERS OF THE JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

The SPEAKER. Pursuant to the provisions of title 25, section 640 (a), United States Code, the Chair appoints as members of the Joint Committee on Navajo-Hopi Indian Administration the following Members on the part of the House: Mr. ENGLE, California; Mr. UDALL, Arizona; Mr. RHODES, Arizona.

APPOINTMENT OF MEMBERS OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of title 20, sections 42 and 43, United States Code, the Chair appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House: Mr. CANNON, Missouri; Mr. BROOKS, Louisiana; Mr. VORYS, Ohio.

APPOINTMENT OF MEMBERS OF THE NATIONAL HISTORICAL PUBLICATIONS COMMISSION

The SPEAKER. Pursuant to the provisions of title 44, section 393 (a), United States Code, the Chair appoints as a member of the National Historical Publications Commission the gentleman from California, Mr. MILLER.

APPOINTMENT OF MEMBER OF THE JAMESTOWN - WILLIAMSBURG - YORKTOWN CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 263, 83d Congress, the Chair appoints as members of the Jamestown-Williamsburg-Yorktown Celebration Commission the following Members on the part of the House: Mr. ROBESON, Virginia; Mr. POFF, Virginia.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 21, 1955
March 18, 1955
84th-1st, No. 49

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HIGHLIGHTS: See last page of digest.

HOUSE

1. APPROPRIATIONS. Passed with amendments H. R. 4903, the second supplemental appropriation bill, 1955. Agreed, 174-107, to an amendment by Rep. Preston to provide \$4,000,000 for contributions to the UN expanded program of technical assistance. Rejected, 52-74, an amendment to this amendment, by Rep. Phillips, to reduce this amount to \$2,500,000 and make all of it available to FAO. Also agreed to an amendment by Rep. Taber to provide for the transfer of these funds from the appropriation contained in Public Law 778, 83rd Congress, for assistance authorized by sec. 121 of Public Law 665, 83rd Congress. A similar provision had previously been deleted on a point of order made by Rep. Hoffman, Mich. (pp. 2620-38) Rep. Hill commended the wind-erosion control item (p. 2634).

The Appropriations Committee reported without amendment H. R. 5046, the Labor-HEW appropriation bill, 1956 (H. Rept. 228) (pp. 2619, 2643).

2. RICE. Passed without amendment H. R. 2839, to provide for reapportionment of rice acreage allotments voluntarily surrendered to the county committee; and H. R. 4356, to divide the 1956 and subsequent rice acreage allotments on a farm in accordance with previous acreage allotment (p. 2642).

The Agriculture Committee reported with amendment H. R. 4647, to increase the State rice acreage allotments for 1955 by 5% (H. Rept. 237) (p. 2643).

3. TOBACCO. The Agriculture Committee reported with amendment H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year (H. Rept. 238) (p. 2643).

4. TRADE AGREEMENTS. Rep. Philbin inserted and commended Henry S. Woodbridge's (American Optical Co.) statement urging amendment of H. R. 1, the trade agreements extension bill, so as to preserve skills "essential to our national security" (p. 2638).
5. ROADS; STATEHOOD. Received a resolution and several petitions supporting the position of the American Association of State Highway Officials relating to the proposed Federal-aid highway program and urging Alaska-Hawaii statehood (p. 2644).
6. LEGISLATIVE PROGRAM as announced by Majority Leader McCormack: Mon., bill to redetermine burley tobacco allotments and Labor-HEW appropriation bill; Tues. and Wed., resolutions disapproving sale of certain rubber plants and bill to reestablish 90% price supports on basic commodities; and Thurs., Fri., and Sat., Interior appropriation bill and bill to increase penalties under Sherman Antitrust Act (pp. 2628-9).

SENATE

7. VIRGIN ISLANDS; SOIL CONSERVATION. The Agriculture and Forestry Committee reported without amendment S. 1166, to restore authority on imports of live-stock and poultry into the Virgin Islands (S. Rept. 114); and S. 1167, to permit ACP payments to persons who carry out conservation practices on Federal noncropland which directly benefit nearby or adjoining private lands (S. Rept. 115)(p. 2651).
8. COTTON ALLOTMENTS. Made H. R. 3952, to amend the Agricultural Adjustment Act of 1938 so as to provide for an increase in the 1955 national cotton acreage allotment of approximately 258,000 acres, its unfinished business (p. 2715).
9. REORGANIZATION. Further insisted upon its amendments to H. R. 2576, to continue the Reorganization Act of 1949 (p. 2645). (House conferees have been appointed, but Senate conferees have not.)
10. NOMINATION of Joseph Campbell to be Comptroller General was confirmed (pp. 2669-83, 2791-2).
11. PERSONNEL; EXPENDITURES. Sen. Byrd inserted an additional report from the Joint Committee on Reduction of Nonessential Federal Expenditures on civilian employment and pay in the executive branch during Jan. 1955 (pp. 2651-5).
Sen. Dirksen (for himself and Sens. Bricker, Butler, Humphrey, Ives, Jackson, Lehman, McNamara, Pastore, Potter, and Kuchel) submitted amendments intended to be proposed by them to S. 67, to increase the pay of Federal employees (p. 2662).
Sen. Humphrey inserted and commended former Sen. Harry Cains's recent address criticizing the Federal employees security program and favoring "a commission of outstanding citizens to concern itself basically with policy questions relating to internal security" (pp. 2683-91).
12. MONOPOLIES. Agreed to S. Res. 61, authorizing expenditure of \$200,000 by the Judiciary Committee for a study of the antitrust laws of the U. S. and their administration, interpretation, and effect, after adoption of a Sen. Ellender amendment to reduce the authorized expenditure from \$250,000 to 200,000 (pp. 2702-3, 2707-8).

Senate

FRIDAY, MARCH 18, 1955

(Legislative day of Thursday, March 10, 1955)

The Senate met in executive session, at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God our Father, beyond whose brooding care we cannot drift: In the glory and vigor of a new morning we lift our careworn hearts to Thee, as we set our faces once more toward waiting tasks and toils. We fain would quiet our souls in Thy presence and rest ourselves in the confidence of Thy sustaining strength, that the peace of God which passeth all understanding may guard our hearts and thoughts. Through countless channels Thou dost seek our lives. At many a door Thou dost stand and knock, if we would but heed the gentle accents of Thy call.

In all the strident voices of this tumultuous day may we not miss the still, small voice which alone can change our fear to faith and our cowardice to courage. Hearken to the prayers of our hearts when in our highest moments we forget ourselves and think of Thee. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 16, 1955, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the bill (S. 913) to eliminate the need for renewal of oaths of office upon change of status of employees of the Senate, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House has passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 3322. An act to amend the Federal Property and Administrative Services Act of 1949 so as to improve the administration of the program for the utilization of surplus property for educational and public health purposes; and

H. J. Res. 250. Joint resolution to amend the joint resolution of March 25, 1953, relating to electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives.

The message further announced that the House had passed the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 85. Concurrent resolution authorizing the printing as a House document

the pamphlet, *Our American Government, What Is It? How Does It Function?*;

H. Con. Res. 90. Concurrent resolution authorizing the preparation and printing of a report on the Prayer Room established in the Capitol;

H. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of hearings held by the Committee on Government Operations on the organization and administration of the military research and development programs; and

H. Con. Res. 93. Concurrent resolution authorizing reprinting of House Document 210 of the 83d Congress.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the joint resolution (H. J. Res. 252) making an additional appropriation for the Department of Justice for the fiscal year 1955, and for other purposes, and it was signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H. R. 3322) to amend the Federal Property and Administrative Services Act of 1949 so as to improve the administration of the program for the utilization of surplus property for educational and public-health purposes, was read twice by its title and referred to the Committee on Government Operations.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following House concurrent resolutions were referred to the Committee on Rules and Administration:

House Concurrent Resolution 85

Resolved by the House of Representatives (the Senate concurring), That the author of the pamphlet entitled "*Our American Government, What Is It? How Does It Function?*", as set out in House Document No. 465, 79th Congress, and subsequent editions thereof, revise the same, bring it up to date, and that it be printed as a public document.

SEC. 2. Such revised pamphlet shall be printed as a House document, and there shall be printed 300,000 additional copies, of which 24,750 copies shall be for the use of the Senate; 266,150 for the use of the House of Representatives; 3,100 for the Senate Document Room; and 6,000 for the House Document Room.

House Concurrent Resolution 90

Resolved by the House of Representatives (the Senate concurring), That the Architect of the Capitol is hereby authorized and directed to prepare a report on the origin, establishment, furnishing, and decoration of the Prayer Room established by House Concurrent Resolution 60 of the 83d Congress for use of the Members of the Senate and House of Representatives.

SEC. 2. Such report shall be printed as a House document with illustrations, in accordance with regulations of the Joint Committee on Printing. In addition to the usual number, there shall be printed 100 copies for use and distribution by each Member of Congress.

SEC. 3. As used in this resolution, the term "Member of Congress" includes a Member of the Senate, a Member of, and a Delegate to, the House of Representatives, and the Resident Commissioner from Puerto Rico.

AMENDMENT OF REORGANIZATION ACT OF 1949, RELATING TO CERTAIN REORGANIZATION PLANS

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCLELLAN. I move that the Senate further insist upon its amendments.

The motion was agreed to.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on March 17, 1955, he presented to the President of the United States the enrolled bill (S. 942) to repeal Public Law 820, 80th Congress (62 Stat. 1098), entitled "An act to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold."

COMMITTEE MEETINGS DURING SENATE SESSION

As in legislative session,

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Internal Security Subcommittee was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the subcommittee on Investigation of Union Welfare and Pension Funds of the Committee on Labor and Public Welfare was authorized to meet today during the session of the Senate.

Mr. HAYDEN. Mr. President, in order to expedite the work of the Committee on Appropriations in the remaining months of the present session of Congress, I ask unanimous consent that the committee be permitted to meet when necessary during the sessions of the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, with statements made in connection therewith limited to not exceeding 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM AND CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, I have asked the minority leader to give consideration to the possibility of the Senate's taking up today Calendar No. 107, a bill (S. 1325) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; Calendar No. 108, a bill (S. 1326) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; Calendar No. 109, a bill (S. 1327) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; Calendar No. 110, a bill (S. 1436) to preserve the tobacco acreage history of farms which voluntarily withdraw from the production of tobacco, and for other purposes; and Calendar No. 111, a bill (S. 1457) to redetermine the national marketing quotas for burley tobacco for the 1955-56 marketing year, and for other purposes.

I understand those bills have been reported unanimously from the Committee on Agriculture and Forestry and that there is no opposition to them. It may be that after concluding the business scheduled for today I shall desire to move the consideration of those bills.

I wished to make that announcement at this time.

Mr. President, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, FEDERAL CIVIL DEFENSE ADMINISTRATION (S. Doc. No. 14)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, for the Federal Civil Defense Administration, in the amount

of \$12 million, for the fiscal year 1955 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

INCREASE IN NUMBER OF CADETS APPOINTED BY THE PRESIDENT TO THE UNITED STATES MILITARY AND AIR FORCE ACADEMIES

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to increase the number of cadets that the President may personally select for appointment to the United States Military Academy and the United States Air Force Academy (with an accompanying paper); to the Committee on Armed Services.

REPORT ON CERTAIN CONTRACTS IN EXCESS OF \$50,000 AWARDED BY DEPARTMENT OF THE NAVY

A letter from the Assistant Secretary of the Navy (Material), transmitting, pursuant to law, the fifth semiannual report of contracts, in excess of \$50,000, for research, development, and experimental purposes, awarded by the Department of the Navy, for the period July 1 through December 31, 1954 (with an accompanying report); to the Committee on Armed Services.

REPORT OF FEDERAL FACILITIES CORPORATION ON TIN OPERATIONS

A letter from the Administrator, Federal Facilities Corporation, Washington, D. C., transmitting, pursuant to law, the semiannual report of that Corporation on tin operations, for the 6-month period ended December 31, 1954 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON ACTIVITIES OF VETERANS' ADMINISTRATION

A letter from the Deputy Administrator, Veterans' Administration, Washington, D. C., transmitting, pursuant to law, a report of the activities of the Veterans' Administration, as of June 30, 1954, including the annual report of the Veterans' Educational Appeals Board, for the year 1954 (with an accompanying report); to the Committee on Finance.

GAIN FROM SALE OR EXCHANGE OF PROPERTY REQUIRED BY FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D. C., transmitting, for the information of the Senate, a problem which has arisen as a result of that Commission's obligations under section 1071 of the Internal Revenue Code of 1954, relating to the gain from the sale or exchange of certain property; to the Committee on Finance.

JOURNAL OF SENATE OF TERRITORY OF HAWAII

A letter from the Secretary of Hawaii, transmitting, pursuant to law, the Journal of the Senate, Legislature of the Territory of Hawaii, special session of 1954 (with an accompanying document); to the Committee on Interior and Insular Affairs.

COMMISSION AND ADVISORY COMMITTEE ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

A letter from the Attorney General, transmitting a draft of proposed legislation to establish a Commission and Advisory Committee on International Rules of Judicial Procedure (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

REPORT OF BOY SCOUTS OF AMERICA (H. Doc. No. 110)

A letter from the chief scout executive, Boy Scouts of America, National Council, New Brunswick, N. J., transmitting, pursuant to law, the 45th Annual Report of the Boy Scouts of America, for the year 1954 (with an accompanying report); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

COVER ON MAIL OF SENATORS

The PRESIDENT pro tempore laid before the Senate the following letter from the Assistant Attorney General, which was read, and, with the accompanying exhibits, was ordered to be placed on file:

DEPARTMENT OF JUSTICE,
Washington, March 17, 1955.

HON. FELTON M. JOHNSTON,
Secretary, United States Senate,
Washington, D. C.

DEAR MR. JOHNSTON: Your memorandum of March 10, 1955, directing the report of the Special Committee on Investigation of Cover on Mail of Senators to the attention of the Attorney General for appropriate action has been referred to the Criminal Division.

The material transmitted has been examined and found to be essentially the same as that made available to us by United States Senator CARL HAYDEN under cover of his letter dated December 14, 1954. Senator HAYDEN requested at that time that he be advised whether there was any violation of Federal law based upon the facts and evidence adduced. We advised Senator HAYDEN in a letter of January 5, 1955, that we had concluded from our examination of the materials in the light of the applicable law that the mail cover did not violate any Federal criminal statute. Upon a reexamination of our file in the light of the material submitted with your memorandum, we have reached the same conclusion.

We are returning the original exhibits forwarded with your memorandum.

Sincerely,

WARREN OLNEY III,
Assistant Attorney General.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 22, 1955
For actions of March 21, 1955
84th-1st, No. 50

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HIGHLIGHTS: House passed Labor-HEW appropriation bill. House committee reported Interior and related agencies appropriation bill. House rejected motion to suspend rules and pass bill to redetermine burley tobacco allotments. Rep. Cooley introduced bill to dispose of LU lands. Rep. Beamer criticized proposed wheat-certificate plan.

HOUSE

1. APPROPRIATIONS. Passed with amendment H. R. 5046, the Labor-HEW appropriation bill, 1956. The amendment would bar payment of unemployment compensation to Federal employees who voluntarily sever their employment. The bill as passed provides total appropriations of \$2,337,522,261, of which \$417,792,900 is for the Department of Labor; and \$1,907,403,361 for the Department of Health, Education, and Welfare. The total appropriation is \$94,218,314 less than the 1955 amount and is \$94,626,600 below the budget estimates. (pp. 2753-69.) Rep. Metcalf urged an increase in funds for a Federal-State cooperative mosquito research project, Milk River Valley, Mont. (p. 2767).

The Appropriations Committee reported without amendment H. R. 5085, the Department of the Interior and Related Agencies Appropriation Bill for 1956 (H. Rept. 239) (pp. 2717, 2786). See end of this Digest for a table on Forest Service items, which are included in this bill.

The bill includes the Budget estimates of \$400,000 for salt-water research and \$390,000 for the Virgin Islands Corporation. The bill provides an increase of \$1,137,000 over the current year in the soil and moisture program and certain other activities of the Bureau of Land Management. In connection with this agency the committee report states: "The Committee directs that a study be made as to the feasibility of transferring the Squaw-Butte Experimental Station to the Department of Agriculture. The work at this station parallels research activities of the Forest Service and possibly should be integrated with that program."

2. REORGANIZATION. Agreed to Senate amendment, with a further House amendment to H. R. 2576, to continue the Reorganization Act of 1949. The bill, as amended, would continue the Act for 26 months (until June 1, 1957) instead of 3 years (as passed by the House) or 2 years (as passed by the Senate). (p. 2719).
3. TOBACCO. Rejected a motion, 260-151 (a two-thirds majority is necessary for passage under suspension of the rules), to suspend the rules and pass with committee amendments H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year (pp. 2744-53).
4. POSTAL EMPLOYEES' PAY. Rejected a motion, 120-302, to suspend the rules and pass H. R. 4644, to increase the rates of basic salary of postal employees and to eliminate certain salary inequities (pp. 2720-44). Rep. Anfuso urged a 10% increase in postal employees' salaries (p. 2718).
5. RUBBER. Rep. Patman spoke against the proposed sale of Government-owned synthetic rubber producing facilities to private industry and inserted the House Small Business Committee staff report concerning the plan for disposal of these facilities (pp. 2774-82).
6. SMALL BUSINESS. Received the Third Semianual Report of the Small Business Administration covering operations between Aug. 1, 1954 and Jan. 31, 1955 (p. 2786).
7. MEAT IMPORTS; CHERRY IMPORTS; WEATHER CONTROL; ALASKA. Received various State Legislature memorials, etc., favoring immediate action to stop the importation of canned hams from Communist-dominated countries, urging retention of the present duty on cherry imports, prohibiting seeding of clouds or use of other methods to induce rain or snowfall until sufficient scientific data are collected to make effective regulation possible; favoring extension of rectangular surveys in Alaska and granting to the Territory the same right as has been granted other States under the Submerged Land Act of May 23, 1953 (p. 2788).
8. PUBLIC LANDS. A subcommittee voted to report to the Interior and Insular Affairs Committee H. R. 2679, to amend the act to protect scenic values along Oak Creek Canyon and certain tributaries thereof within the Coconino National Forest, Ariz. (p. D229).
9. FORESTRY. Rep. Sikes spoke in favor of additional funds for Forest Service activities, including cooperation with States in tree planting, forest-fire control, timber production, and forest research, and for forest roads and trails, timber resource management, etc. (pp. 2773-4).
10. FLOOD CONTROL. A subcommittee voted to report to the Public Works Committee H. R. 3878, authorizing \$15,000,000 for flood emergency preparation, flood fighting and rescue operations, repair or restoration of any flood-control work threatened or destroyed by flood, etc. (p. D229).
11. PERSONNEL. Rep. Lane spoke in favor of a 10% pay raise for Federal employees (pp. 2717-8).

Mr. LANHAM. Mr. Speaker, today I have introduced a bill to create a Department of Peace and Disarmament.

I was moved to do this by the action of the President appointing the Honorable Harold Stassen as a special aide to the President to discharge the duties which would be assigned to him by my bill.

It is not my purpose to preempt the field and try to substitute my bill for similar ones previously introduced by Members of the House delegation from West Virginia. A very distinguished constituent of theirs has long advocated the creation of a Department of Peace. I refer to Mr. R. M. Davis.

It has not seemed to me until now that the time was ripe for such a department. At this time, it seems to me, such action on the part of Congress would have tremendous psychological impact throughout the world. People everywhere are tired of war and the armament race that unless checked may well lead to world war III and the destruction of civilization. Of course any move toward disarmament must be made with due regard to our national security and in close cooperation with the Department of State.

It seems to me that Mr. Stassen with his wide experience in the field of foreign aid and his long-time interest in the promotion of peace and world accord is well suited to head a department of peace and disarmament.

I have no pride of authorship in the bill, and want simply to add my approval to the action of my West Virginia colleagues in proposing throughout several years the idea contained in my bill.

(Mr. SIEMINSKI asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. SIEMINSKI'S remarks will appear hereafter in the Appendix.]

CORRECTION OF THE RECORD

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to correct the RECORD of March 18, on page 2622. There is a reference to "TVA." It should be "TWA." I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

DISPOSAL OF SYNTHETIC RUBBER FACILITIES

Mr. VINSON. Mr. Speaker, I desire to announce to the House that tomorrow I will call up a privileged resolution (H. Res. 170) relating to the disposition of the synthetic rubber facilities.

Mr. Speaker, I ask unanimous consent that general debate on House Resolution 170 be fixed at 6 hours, 3 hours to be controlled by the author of the resolution, the gentleman from Texas [Mr. PATMAN], and 3 hours by myself as chairman of the Committee on Armed Services.

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not, I wonder if the chairman of the committee will tell us whether the other resolution will be called up on that day or the following day.

Mr. VINSON. Mr. Speaker, in regard to House Resolution 171, I will call that up Wednesday morning, because it will take all day tomorrow to finish House Resolution 170.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, I desire to announce further that I will ask for a rollcall at the end of the debate on the disposal resolution.

HOURLY OF MEETING MARCH 22

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING REORGANIZATION ACT OF 1949

Mr. McCORMACK. Mr. Speaker, I call up the bill (H. R. 2576) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958, with Senate amendments thereto, and ask for the present consideration of the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. The Clerk will read the first Senate amendment.

The Clerk read as follows:

Page 1, line 7, change "1958" to "1959."

Mr. McCORMACK. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. McCORMACK moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur in the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment strike out of the engrossed bill "April 1, 1958" and in lieu thereof insert "June 1, 1957."

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. PATMAN. Does this relate to the Committee for the Reorganization of the Executive Branch?

Mr. McCORMACK. Yes.

Mr. PATMAN. I would like to know something about that, Mr. Speaker.

Mr. McCORMACK. The purpose of the action to be taken by the House is this: The Reorganization bill as it passed the House allows the President 3 years to submit reorganization plans in reference to the executive branch of the Government. The Senate amended it and made it 2 years. The purpose of this amendment is to make it 2 years and 2

months, the reason being that the law will expire in the month of April 1957. That is rather short. We felt that 2 months would be advisable, making the time expire on June 1, 1957, instead of April.

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will read the next amendment in disagreement.

The Clerk read as follows:

Amend the title so as to read: "An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1957."

Mr. McCORMACK. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. McCORMACK moves that the House recede from its disagreement to the amendment of the Senate to the title and concur in the same with an amendment as follows: In lieu of the matter proposed by said amendment, amend the title so as to read: "An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1957."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

CALL OF THE HOUSE

Mr. McGREGOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 22]

Bell	Curtis, Mo.	Rivers
Bolton,	Dorn, N. Y.	Velde
Oliver P.	Eberharter	Vorys
Canfield	Jones, Mo.	Vursell
Chapfield	Moulder	Wigglesworth
Christopher	Reece, Tenn.	

The SPEAKER. On this rollcall, 416 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING FOREIGN SERVICE ACT

Mr. TRIMBLE from the Committee on Rules, reported the following privileged resolution (H. Res. 181, Rept. No. 240), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4947) to amend the Foreign Service Act of 1946, as amended, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and

controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

POSTAL FIELD COMPENSATION ACT OF 1955

Mr. MURRAY of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4644) to increase the rates of basic salary of postmasters, officers, supervisors, and employees in the postal field service, to eliminate certain salary inequities, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Postal Field Service Compensation Act of 1955."

TITLE I—DEFINITIONS, COVERAGE, AND EXEMPTIONS

Definitions

SEC. 101. For the purposes of this act—

(1) "Department" means the Post Office Department established by section 388 of the Revised Statutes (5 U. S. C., sec. 361), and the postal field service of the Post Office Department;

(2) "postal field service" includes all operations and organization units of the Department, other than the departmental operations and organization units in the headquarters offices of the Post Office Department at the seat of the Government, and includes postal inspectors assigned to the headquarters offices of the Post Office Department at the seat of the Government;

(3) "employee", unless the context otherwise indicates, includes postmasters, officers, supervisors, and all other persons employed in the postal field service, regardless of title, other than persons who provide services for the Department on a fee, contract, job, or piecework basis;

(4) "position" means the duties and responsibilities assigned to an employee, other than duties performed on a fee, contract, job, or piecework basis;

(5) "key position" means an existing position, described in section 203 of this act;

(6) "salary level" means the numerical standing in the postal field service schedule assigned to a position in the postal field service;

(7) "basic salary" means the rate of annual or hourly compensation specified by law, exclusive of overtime, night differential, and longevity compensation;

(8) "basic compensation" means basic salary plus longevity compensation; and

(9) "persons" has the meaning prescribed for such word in section 1 of title 1 of the United States Code.

Coverage

SEC. 102. This act applies to all positions and employees in the postal field service.

TITLE II—RANKING OF POSITIONS

Administration

SEC. 201. (a) The Postmaster General shall determine the personnel requirements of the postal field service, and fix the number of supervisors and other employees in such service, except that not more than one assistant postmaster may be employed at any post office. He shall define the various positions other than the key positions specified in section 203 of this act and the standard positions of postmaster in a fourth-class office

and rural carrier. He shall assign each such position to its appropriate salary level in the postal field service schedule. He shall ascertain the appropriate salary level of a position (1) by comparing the duties, responsibilities, and work requirements of the position with the duties, responsibilities, and work requirements of key positions described in section 203 of this act, and (2) by ranking the position in relation to the key position most closely comparable in terms of the level of duties, responsibilities, and work requirements.

(b) In ranking positions, the Postmaster General shall apply the principle of equal pay for substantially equal work and give effect to substantial differences in difficulty of the work to be performed, in the degree of responsibility to be exercised, in the scope and variety of tasks involved, and in the conditions of performance.

(c) The Postmaster General's determinations under this section shall be the basis for the payment of compensation and for personnel transactions.

Appeals

SEC. 202. Any employee, either individually or together with one or more other employees with a similar grievance, may appeal at any time, in person or through his representative specifically designated for that purpose, to the United States Civil Service Commission to review (1) if such employee is in a position other than a key position described in section 203 of this act, any action taken by the Postmaster General under section 201 of this act, in order to determine whether his position has been placed in its appropriate salary level in accordance with such section, and (2) if such employee is in a key position described in section 203 of this act, any administrative action taken or determination made under this act, in connection with such employee, in order to determine whether such employee has been placed correctly in a key position on the basis of and in accordance with the descriptions of key positions and the assignments of such positions to salary levels specified in section 203 of this act. The Commission shall act upon such appeal at the earliest practicable time, and its decision on such appeal shall be certified forthwith to the Postmaster General who shall take action in accordance with such certificate.

Key positions

SEC. 203. Key positions in the postal field service consisting of standard, related tasks commonly performed in that service are described and assigned to salary levels in the postal field service schedule, as follows:

(1) Position: Janitor—Level 1.

Basic function: Cleans, sweeps, and removes trash from work areas, lobbies, and washrooms.

Duties and responsibilities:

(A) Sweeps and scrubs floors and stairs, dusts furniture and fixtures, cleans washrooms, and washes windows (except exterior glass in high buildings).

(B) Moves furniture and helps erect equipment and fixtures within offices of the building.

(C) In addition, may perform any of the following duties:

(i) Cleans ice and snow from the sidewalks and driveways, and tends the lawn, shrubbery, and premises of the post office.

(ii) Washes walls and ceilings.

Organizational relationships: Reports to a foreman or other designated supervisor.

(2) Position: Elevator Operator—Level 2. Basic function: Operates a freight or passenger elevator.

Duties and responsibilities:

(A) Operates elevator.

(B) Cleans cab of elevator and polishes metal fittings.

(C) In addition, may perform any of the following duties:

(1) Pushes handcarts of mail on and off elevator or assists in loading or unloading material carried on elevator.

(ii) Tends the heating plant or performs cleaning duties in the vicinity of the elevator.

Organizational relationships: Reports to an elevator starter or other designated supervisor.

(3) Position: Order filler—level 2.

Basic function: Selects, assembles, and makes ready for shipment items requisitioned by postal field establishments.

Duties and responsibilities:

Is assigned any of the following duties:

(A) Separate sheets of the requisition form, fastens copies to clipboards and places on appropriate conveyor line.

(B) Clarifies writing on carbon copies of requisitions in order to minimize errors in filing requisitions.

(C) Sets up and prepares shipping containers.

(D) Places in cartons on conveyor lines the quantities of items requisitioned from an assigned station, indicating action taken opposite each item.

(E) Fills and labels bulk shipping orders and moves bulk material to dispatch area.

(F) Replenishes from stock items stored in individual stations and keeps stations neat and orderly to facilitate filing of requisitions.

(G) Transports bulk and individual shipments on hand trucks.

(H) Assembles materials for each requisition where conveyor lines converge.

(I) Places cartons on assembly table for coordination and packing.

(J) Checks requisition copies and items to assure that proper action has been taken.

(K) Directs items not requiring packing to dispatch area.

(L) Combines shipments to reduce packing.

(M) Transmits bulk slips and shipping labels to the appropriate person.

(N) Labels bulk and individual packages with printed labels to avoid hand labeling.

(O) Prepares labels by use of appropriate rubber stamps.

(P) Seals cartons with stapling machine or tape.

(Q) Packs supplies for shipment.

(R) Stacks and trucks completed orders.

Organizational relationships: Reports to a foreman or other designated supervisor.

(4) Position: Clerk—third-class post office—level 2.

Basic function: Sorts incoming and dispatches outgoing mail for a small number of points of separation and destination; provides a limited number of services at public windows.

Duties and responsibilities:

(A) Sorts incoming mail for general delivery, lock boxes, and one or more delivery routes.

(B) Postmarks, and prepares mail for dispatch by train or other mail route; closes, locks, and affixes labels to pouches and mail sacks.

(C) Performs services at a public window, such as selling stamps, stamped envelopes, or other routine functions.

(D) As the needs of the service require, many perform other related duties incidental to the operation of the post office.

Organizational relationships: Reports to a postmaster.

(5) Position: Guard—level 3.

Basic function: Makes rounds of the post office building, and punches clocks at designated stations.

Duties and responsibilities:

(A) Patrols buildings, punching watchman's clock where furnished, checking door and window locks, noting and reporting fire hazards and other irregularities, such as running water and unclosed doors and windows.

(B) Sounds fire alarm.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 23, 1955
For actions of March 22, 1955
84th-1st, No. 51

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HIGHLIGHTS: Senate debated cotton-allotment increase bill. Senate agreed to House amendment to bill to continue Reorganization Act. House Rules Committee cleared bills to redetermine burley tobacco allotments and increase rice allotments. House committee reported bill to include onions under CEA.

HOUSE

1. RICE; TOBACCO. The Rules Committee reported resolutions providing for the consideration of H. R. 4647, to increase the State rice acreage allotments for 1955 by 5%, and H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-6 marketing year (p. 2913).
2. COMMODITY EXCHANGES. The Agriculture Committee reported without amendment H. R. 122, to include onions under the CEAct (H. Rept. 285) (p. 2924).
3. PUBLIC LANDS. The Interior and Insular Affairs Committee ordered reported H. R. 2679, to amend the act to protect scenic values along Oak Creek Canyon and certain tributaries thereof within the Coconino National Forest, Ariz. (p. D234).
4. CHEMICALS IN FOOD. Rep. Willis expressed concern over the use of chemicals in food "in those cases where chemicals added to food create a health hazard," and he inserted a report of the National Research Council on the use of artificial sweeteners in food (pp. 2915-8).

5. PERSONNEL. Both Houses received from HEW a proposed bill to authorize an additional Assistant Secretary in that Department (pp. 2790, 2924).
6. RUBBER. Rejected, 132 to 283, H. Res. 170, declaring that the House of Representatives does not favor sale of the facilities as recommended in the report of the Rubber Producing Facilities Disposal Commission submitted to Congress on Jan. 24, 1955 (pp. 2865-912).

SENATE

7. COTTON ALLOTMENTS. Began debate on H. R. 3952, to amend the Agricultural Adjustment Act of 1938 regarding cotton allotments. The bill as reported would increase the 1955 allotment by approximately 258,625 acres (the House version provides a 3% increase of approximately 543,234 acres) and would allot to each State an amount necessary to increase each farm allotment to the smaller of 4 acres or 75% of the highest acreage planted in 1952, 1953, or 1954. In addition each State would receive further acreage equal to one-half percent of its present allotment. Sen. Stennis (for himself and Sens. McClellan and Fulbright) submitted an amendment to the committee amendment so as to provide a 1½% (271,000 acres) allotment increase for 1955. This amendment was pending at recess for consideration today, Mar. 23, and a record vote has been ordered. Sen. Anderson and others submitted an amendment to increase the allotments for Ariz., Calif., Ill., Nev., and N. Mex. by 2% or to 3,500 acres, whichever results in the larger acreage. Sen. Malone submitted an amendment to allot to certain States not less than 10,000 acres in any year in which allotments are made. Sen. Daniel (for himself and Sen. Johnson) submitted an amendment intended to be proposed to this bill. (pp. 2802, 2811-2, 2824-5, 2828-33, 2836-43.)
8. REORGANIZATION. Agreed to the House amendment to H. R. 2576, to continue the Reorganization Act of 1949 to June 1, 1957 (p. 2804). This bill will now be sent to the President.
9. RUBBER. The Banking and Currency Committee reported adversely S. Res. 76, disapproving the sale of the facilities as recommended in the report of Rubber Producing Facilities Disposal Commission (S. Rept. 117); and S. Res. 78 and 79, disapproving the sale of three synthetic-rubber-producing plants in Calif. (S. Rept. 118)(p. 2796).
10. SMALL BUSINESS. Received the report of the Small Business Administration covering operations between Aug. 1, 1954 and Jan. 31, 1955 (p. 2790).
11. MEAT IMPORTS; CHERRY IMPORTS; WEATHER CONTROL; ALASKA. Received various State Legislature memorials, etc., favoring immediate action to stop the importation of canned hams from Communist-dominated countries, urging retention of the present duty on cherry imports, prohibiting seeding of clouds or use of other methods to induce rain or snowfall until sufficient scientific data are collected to make effective regulation possible; and favoring extension of rectangular surveys in Alaska and granting to the Territory the same right as has been granted other States under the Submerged Land Act of May 23, 1953 (pp. 2790-2).

June 1953, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of the report on the crop damage from the use of herbicide 2, 4-D at Morganza Floodway, La., requested by a resolution of the Committee on Public Works dated July 30, 1953, and I ask unanimous consent that it may be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. SYMINGTON:

Address delivered by him before Dunklin County Teachers' Association, Kennett, Mo., Monday, March 14, 1955, on the subject Federal Aid for Elementary and Secondary Public School Construction.

By Mr. GREEN:

Address delivered by Senator PASTORE before the British Empire Club in Providence, R. I., on March 17, 1955.

By Mr. BENNETT:

Statement by Senator WATKINS before Senate Finance Committee with respect to his proposed amendment to H. R. 1.

By Mr. DANIEL:

Statement prepared by him relative to the fifth anniversary of the National Muscular Dystrophy Foundation.

By Mr. BRICKER:

Address entitled "The Uses of Fear," delivered by Representative JOHN M. VOYLES, of Ohio, at the Ohio State University Convocation on March 18, 1955.

By Mr. THURMOND:

Address delivered by Gov. George Bell Timmerman, Jr., of South Carolina, to South Carolina Education Association, Columbia, S. C., March 17, 1955.

Address delivered by Gov. George Bell Timmerman, Jr., of South Carolina, to the corps of cadets, The Citadel, on occasion of the 112th anniversary of the corps, March 19, 1955.

By Mr. BUTLER:

Address delivered by William Randolph Hearst, Jr., before the Advertising Club of Baltimore, on March 16, 1955, on the subject of his recent trip to Soviet Russia.

By Mr. SALTONSTALL:

Radio address entitled "Probation Officer's Comments on Children in Trouble," delivered by Charles Eliot Sands, assistant chief probation officer, Boston Juvenile Court, over radio station WVOM on February 4, 1955.

By Mr. MUNDT:

Editorial entitled "Pioneers' Penalty," published in the Washington Daily News of March 19, 1955, dealing with the subject of civil aviation.

Article entitled "Scaring Us to Death," written by Louis Francis Budenz, and published in the February 1955 issue of the St. Anthony Messenger.

By Mr. HUMPHREY:

Five-point national security program of the Veterans of Foreign Wars.

By Mr. KEFAUVER:

Article entitled "Tariff Has Long Been a Fighting Word," written by Francis P. Douglas, and published in the Washington Evening Star of March 21, 1955.

Article written by Mason Morris dealing with birthday anniversary of Robert E. Lee, published in the Sewanee Purple.

By Mr. AIKEN:

Various editorials and articles dealing with the farm problem and the question of price supports.

By Mr. THYE:

Editorial entitled "Mr. Stassen and Arms Race," published in the Washington Evening Star of March 21, 1955.

Article entitled "Turning Victories Into Defeats," written by Constantine Brown and published in a recent issue of the Washington Evening Star.

News analysis by Jim Bormann, director, news and public affairs, WCCO radio station, Minneapolis, Minn., regarding the International Trade Fair in Bangkok.

By Mr. NEUBERGER:

Article entitled "Lebanon Mayors Cited in Beirut," published in the Portland Oregonian of March 16, 1955.

Article entitled "Harvesting the Lord's Acre," written by Wally Hunter, and published in the Portland Oregonian of March 6, 1955.

By Mr. PAYNE:

Obituary of Matthew Alexander Henson, personal attendant to Adm. Robert E. Peary on his discovery of the North Pole, together with an article from the New York Times of March 10, 1955, and an editorial from the Portland (Maine) Sunday Telegram of March 13, dealing with the same subject.

Article entitled "Europe Ahead In Helicopter Use," written by May Craig and published in the Portland (Maine) Press Herald of March 19, 1955.

By Mr. WILLIAMS:

Editorial entitled "That \$20 Bill," published in the Washington Daily News of March 16, 1955.

Article entitled "Democratic Plea for \$20 Tax Cut Seen Helping Cause of GOP in 1956, Winning Many Small Investors," written by David Lawrence, and published in the Washington Evening Star of March 16, 1955, which will appear hereafter in the Appendix.

By Mr. BYRD:

Article by James J. Kilpatrick, editor of the Richmond (Va.) News Leader, entitled "This Was the House of Our Fathers: The Implications of Federal Housing."

By Mr. WILEY:

Letter written by him and newspaper article dealing with Cpl. Michael Red Cloud, winner of the Medal of Honor.

NOTICE OF HEARINGS ON SUNDRY NOMINATIONS BY FOREIGN RELATIONS COMMITTEE

Mr. GEORGE. Mr. President, as chairman of the Committee on Foreign Relations, I desire to say that the Senate received today a list of 27 persons for appointment as Foreign Service officers of various classes. The list is printed elsewhere in the proceedings of today. Notice is hereby given that these nominations will be considered by the Committee on Foreign Relations, at the expiration of 6 days.

NOTICE OF HEARINGS ON S. 636, TO REVISE THE FEDERAL ELECTION LAWS

Mr. HENNINGS. Mr. President, I would like to announce to the Senate that the Senate Subcommittee on Privileges and Elections has scheduled hearings on S. 636, a bill to revise the Federal election laws, to prevent corrupt practices in elections, and for other

purposes. The hearings on this proposed Federal Elections Act of 1955 will begin on April 12 and 13, and will continue until all interested persons and organizations have had an opportunity to appear and testify. I should like to invite any and every interested Member of Congress to appear at these hearings and express his opinion of this bill and this subject. I should like to extend an invitation to interested Members of Congress to submit statements to the subcommittee, if they cannot attend these hearings. All such statements will be incorporated in the record of the hearings, and will be seriously considered by the subcommittee. Any other interested citizens and organizations are invited to contact the subcommittee if they wish to make their views known.

Mr. President, at the time I introduced this bill, which was cosponsored by the Senator from Arizona [Mr. HAYDEN], the Senator from Rhode Island [Mr. GREEN], and the Senator from Oklahoma [Mr. GORE], I made a statement in which I explained the principal features of the bill, and detailed our reasons for introducing it. That statement appears in the daily CONGRESSIONAL RECORD for January 21, at page 444. I urge all Members of Congress to consult that statement, because I feel that this bill is most important, and because, as I said at that time, this bill should be acted on this year, rather than postponed to an election year.

ISSUANCE OF COMMEMORATIVE STAMP TO HONOR AMELIA EARHART—ADDITIONAL COSPONSOR OF BILL

Mr. CARLSON. Mr. President, on January 6, 1955, I submitted S. 10, which provides for the issuance of a commemorative postage stamp in honor of Amelia Earhart, who became nationally and internationally known as a great aviatrix by reason of being the first woman to have flown the Atlantic Ocean.

Because many of her family live in Massachusetts, I ask unanimous consent that the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] may be added as a cosponsor of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

ELIMINATION OF OATH OF OFFICE OF SENATE EMPLOYEES IN CERTAIN CASES

Mr. GREEN. Mr. President, last February 21 the Senate passed a bill (S. 913) to eliminate the need for renewal of office upon change of status of employees of the Senate.

The bill went to the House. The House of Representatives decided it was so good it desired to have the proposed legislation apply to employees of the House also. So it changed the bill by adding the words "or House of Representatives" in two places. The House of Representatives passed the bill as thus amended, and the bill has now come back to the Senate.

Mr. President, I move that the Senate concur in the amendments of the House of Representatives.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 913) to eliminate the need for renewal of oaths of office upon change of status of employees of the Senate, which were, in line 4, after "Senate", insert "or House of Representatives"; in line 8, after "Senate", insert "or House of Representatives"; and to amend the title so as to read "An act to eliminate the need for renewal of oaths of office upon change of status of employees of the Senate or House of Representatives."

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island [Mr. GREEN] that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

AMENDMENT OF REORGANIZATION ACT OF 1949, RELATING TO CERTAIN REORGANIZATION PLANS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 2576, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
March 21, 1955.

Resolved, That the House recede from its disagreement to the amendment of the Senate to line 7 to the bill (H. R. 2576) entitled "An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1958," and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, strike out of the engrossed bill "April 1, 1958" and insert in lieu thereof "June 1, 1957."

That the House recede from its disagreement to the amendment of the Senate to the title of said bill and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, amend the title so as to read: "An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1957."

Mr. McCLELLAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

TRIBUTE TO WALTER WHITE

Mr. SMITH of New Jersey. Mr. President, in the newspapers this morning, I have noted with genuine sorrow the death of Walter White. Walter White was executive secretary of the National Association for the Advancement of Colored People. Whenever I have had the privilege of meeting individuals who were so devoted to the cause in which they believed that they were willing to give their all to those causes, I have felt the inspiration of such dedication. This was the case of Walter White. Because of the sufferings of his childhood, he was prepared to give everything he had, in-

cluding life itself, to the cause of the people of his race.

In the New York Times of this morning there is a splendid article giving a summary of Mr. White's life. I feel it is appropriate that the article should appear in the CONGRESSIONAL RECORD, as a tribute to a great personality who gave all he had for the cause in which he believed.

Therefore, Mr. President, I ask unanimous consent that the article be printed at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of
March 22, 1955]

WALTER WHITE, 61, DIES IN HOME HERE—LEADER IN CIVIL RIGHTS FIGHT 37 YEARS; WAS EXECUTIVE SECRETARY OF NAACP—CHOSE TO BE A NEGRO—AUTHOR OF 5 BOOKS; ALSO WAS A GOVERNMENT ADVISER IN U. N. AND VIRGIN ISLANDS

Walter White, executive secretary of the National Association for the Advancement of Colored People, died last night at his home, 242 East 68th Street. He was 61 years old.

Last October he twice entered the New York Hospital for treatment for a heart ailment that had caused him to take a leave of absence from his duties.

Mr. White, the nearest approach to a national leader of American Negroes since Booker T. Washington, was a Negro by choice.

Only five-thirty-seconds of his ancestry was Negro. His skin was fair, his hair blond, his eyes blue, and his features Caucasian. He could easily have joined the 12,000 Negroes who pass the color line and disappear into the white majority every year in this country.

But he deliberately sacrificed his comfort to publicize himself as a Negro and to devote his entire adult life to completing the emancipation of his people.

In his autobiography, *A Man Called White*, published in 1948, Mr. White told of one night of horror that helped him make up his mind. A race riot occurred in his native Atlanta, when he was 13.

As a mob of white men attacked the White home, Walter and his father, a postman, took positions at parlor windows with pistols, while Mrs. White and five daughters huddled in a rear room. A volley of shots from another Negro dwelling deflected the mob just in time.

JOINED NAACP EARLY

Walter Francis White was born July 1, 1893, 1 of 7 light-skinned children. Being bright and of a comparatively well-to-do family, he was able to attend Atlanta Preparatory School and Atlanta University. After graduation in 1916 he became an insurance salesman.

He became active in the local chapter of the National Association for the Advancement of Colored People a few years after its organization. James Weldon Johnson, then executive secretary of the NAACP, impressed by the young man, hired him in 1918 as assistant secretary and brought him to New York.

When Mr. Johnson retired in 1929, Mr. White succeeded him. From 1918 until 1929 the assistant secretary personally investigated 41 lynchings and 8 race riots.

Investigating the notorious race riots in Elaine, Ark., in 1919, in which 3 whites and 200 Negroes were killed, he posed as a reporter for the Chicago Daily News. He interviewed some of the 79 Negro men imprisoned, some lynchers, and even the Governor of the State,

before escaping on a train one jump ahead of a mob that had discovered his identity.

As head of an organization of 580,000 Negroes and white sympathizers, and unofficial champion of 14 million Negroes, Mr. White was a powerful lobbyist for Federal antilynching, antipolltax, and antisegregation laws.

INFLUENCED PRESIDENTS

In 1938 he pushed a Federal antilynching bill nearer to passage than ever before in 20 years of effort. The bill was defeated only after 7 weeks of filibuster by southern Senators. In 1930 he blocked the confirmation of President Herbert Hoover's appointment of John J. Parker, of North Carolina, to the Supreme Court because of the Judge's approval of racial segregation.

He was the author of President Franklin D. Roosevelt's Executive order on Fair Employment practices in war industry during World War II. And he was responsible for President Harry Truman's stand on civil rights that caused the Dixiecrat bolt from the Democrats in the 1948 campaign.

Mr. White traveled 1 million miles, including 2 trips around the world, lecturing and investigating racial discrimination. He made perhaps 10,000 public speeches, wrote 5 books (including 2 novels), a hundred articles for national magazines, and for years wrote 2 weekly columns, 1 syndicated in Negro newspapers and the other in white papers.

During the Harlem race riot of August 1, 1943, he and Mayor Fiorello H. La Guardia toured the streets all night in a limousine calming the agitated throngs. In 1939 he staged an open-air concert by Marian Anderson in Washington that attracted 75,000 persons after the Daughters of the American Revolution had refused their hall to the Negro singer. From 1943 to 1945 he toured every war theater as a special correspondent for the New York Post.

He was on the Advisory Council for Government of the Virgin Islands in 1934 and 1935, consultant to the United States delegation at the organization meeting of the United Nations in San Francisco in 1945, and consultant to the delegation at the General Assembly meeting in Paris in 1948.

In 1922 Mr. White married Leah Powell, an NAACP secretary. They had two children, Jane, now an actress, and Walter C. D. White. That marriage ended in divorce. In 1949 Mr. White married Poppy Cannon.

Besides his second wife and his children, he leaves two sisters in Atlanta.

EIGHTIETH BIRTHDAY OF SYNGMAN RHEE

Mr. SMITH of New Jersey. Mr. President, I have had called to my attention the fact that on Saturday next, March 26, the Honorable Syngman Rhee, the President of the Republic of Korea, will celebrate his 80th birthday. Because of my warm personal friendship for President Rhee and my admiration for the wonderful courage and patriotism he has evidenced by his achievements for the Republic of Korea, I am happy to call this occasion to the attention of my colleagues in the Senate.

President Rhee is a great patriot and statesman. He has dedicated his life to the freeing of his country from alien rule; and because of his great devotion to this cause, he has suffered many hardships and privations. He has been the leading figure in the setting up of the Republic of a free Korea; and he is still looking forward to the time when his beloved country, both North and South, may be united and may take its place,

Public Law 16 - 84th Congress
Chapter 16 - 1st Session
H. R. 2576

AN ACT

All 69 Stat. 14.

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1957.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended by the Act of February 11, 1953 (67 Stat. 4), is hereby further amended by striking out "April 1, 1955" and inserting in lieu thereof "June 1, 1957". 5 USC 1332-3.

Approved March 25, 1955.

